JUN 0 5 2008

Texas Commission on Environmental Quality **Investigation Report** ONYX ENVIRONMENTAL SERVICES LLC

ONYX ENVIRONMENTAL SERVICES LLC

RN102599719

Investigation #277008

incident#

Investigator: RODDY WHITE JR

Site Classification

MAJOR SOURCE

Conducted:

07/16/2004 - 07/16/2004

NAIC Code: 562211

SIC Code: 4941

Program(s):

AIR OPERATING PERMITS

Investigation Type: Compliance Investigation

Location: On highway 73, 6.3 miles west of the intersection of West Port Arthur Road and

Hwy 73. 7665 Hwy 73

Additional ID(s):

1509 i

JE0024D

Address: 7665 HWY 73; PORT ARTHUR, TX 77640

Activity Type:

AIR SPCC - Site Permit Compliance

Certification

Principal(s):

Role

Name

RESPONDENT

ONYX ENVIRONMENTAL SERVICES LLC

Contact(s):

Role	Title	Name	Phone	
Regulated Entity Contact	ENVIRONMENTAL HEALTH AND SAFETY MANAGER	MR DANIEL DUNGAN	Fax Work	(409) 736-1636 (409) 736-4146
Participated in Investigation	ENVIRONMENTAL COMPLIANCE SUPERVISOR	MONA ROUNTREE	Work	(409) 736-4122 (409) 736-1636
Notified	ENVIRONMENTAL HEALTH AND SAFETY MANAGER	MR DANIEL DUNCAN	Work	(409) 736-1636 (409) 736-4146
Participated in Investigation	ENVIRONMENTAL HEALTH AND SAFETY MANAGER	MR DANIEL DUNCAN	Work	(409) 736-1636 (409) 736-4146

Other Staff Member(s):

Role

Name

QA REVIEWER SUPERVISOR

JOEL STFIN

KATHRYN SAUCEDA

Associated Check List

Checklist Name

Unit Name

AIR INVESTIGATION TYPES FY04

SPCC ACTIVITY

AIR GENERIC INVESTIGATION (20 ITEMS)

SPCC CHECKLIST

Investigation Comments:

INTRODUCTION

On July 16, 2004, Mr. Roddy White, Environmental Air Investigator of the Beaumont Region Office, conducted a Site Permit Compliance Certification (SPCC) review of the Onyx Environmental Services L.L.C annual Permit Compliance Certification (PCC) Report, for the reporting period of October 21, 2002, through October 21, 2003. The TCEQ issued Site Operating Permit (SOP) No.

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O-01509 on October 21, 2002. The PCC Report was postmarked on November 21, 2003 and was received by the Beaumont Region Office on November 24, 2003. (Refer to Attachment 1-Annual Permit Compliance Certification Report). Notification of the on site review was given in a telephone conversation with Mr. Dan Duncan on July 2, 2004.

Onyx has submitted three deviation reports since the issuance of the Federal Operating Permit on October 21, 2002. The first deviation report was received on May 21, 2003, for the period of October 21, 2002 through April 21, 2003. The report was postmarked on May 21, 2003. (Refer to Attachment 2- Six Month Deviation Report).

The second deviation report was received on November 21, 2003, for the period of April 21, 2003, through October 20, 2003. This report was postmarked on November 20, 2003. (Refer to Attachment 3- Six Month Deviation Report).

The third deviation report was submitted on May 20, 2004, for the period of November 21, 2003 through May 21, 2004. This report was postmarked on May 20, 2004. (Refer to Attachment 4- Six Month Deviation Report).

II. GENERAL FACILITY AND PROCESS INFORMATION

Onyx operates a hazardous waste incinerator permitted under HW-50212-001 at this site.

III. BACKGROUND

Current Enforcement Actions

See the Additional Information section for the violations documented during this investigation.

Agreed Orders, Court Orders, and Other Compliance Agreements

A Beaumont File review documented that the facility has not received any Agreed Orders, Court Orders, or other Compliance Agreements within the past five years.

Complaints

A Beaumont file review indicated that the regional office has received no complaints regarding this facility in the last five years.

Prior Enforcement Issues

A file review indicated the following enforcement in the past five years. Onyx was issued a Notice of Violation (NOV) on November 21, 2001 for failure to submit the required Initial Notification, Compliance Status, and Periodic Reports under 40 Code of Federal Regulations (CFR) 63 subpart H, for the period from February 1, 2000 through February 1, 2001. These violations were documented during a Comprehensive Compliance Investigation (CCI) conducted on September 28, 2001. Onyx Environmental Services failed to supply an initial notification as required under 40 Code of Federal Register CFR 63.182(a)(1) (Subpart H). The company was also deficient in supplying reports required under 40 CFR 63.182(a)(2) relating to notification of compliance status and 63.182(a)(3) relating to periodic reports. The facility is subject to 40 CFR 63 Subpart H as the facility conducts waste management of off site materials as a treatment storage and disposal facility under 40 CFR Part 264, subpart BB. The first semiannual report was due for the period of February 1, 2000 through July 31, 2000. The second period missed was for August 1, 2000 through February 28, 2001. A violation existed of 30 Texas Administrative Code (TAC) Chapter 113.130 (subpart H) for failure to submit the required reports. The violation was resolved by the submission of the reports before the investigation was conducted.

Onyx Environmental Services was also issued a violation of 30 TAC Chapter 101.10(E) for a failure to submit an Annual Emission Inventory (E.I.) on June 16, 2000. The emission inventory was received on May 8, 2001, resolving the NOV. This NOV was issued by the Austin Office of the TCEQ.

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IV. ADDITIONAL INFORMATION

On July 16, 2004, I arrived at the site at 8:00 a.m. An odor and visible emission survey was conducted prior to plant entry. No odors or visible emissions were detected. The sky was partly cloudy and the winds were from the southwest at 12 miles per hour (mph). The temperature was about 85 degrees Fahrenheit. I met Mr. Dan Duncan, the Environmental Health and Safety Manager, and Ms. Mona Rountree, the Environmental Compliance Supervisor.

The following violations were documented during this investigation:

For the reporting period of October 21, 2002 through April 21, 2003, Onyx reported eight deviations. Seven of the deviations involved high Carbon Monoxide (CO) readings from the Incinerator. After the deviation report was submitted, Onyx discovered that they were using the wrong formula in the database to calculate the CO emissions. The formula was corrected and the calculated emissions of CO dropped below the permit limit by a significant amount. Two deviations, Number 1 and Number 5, were still above the permit limits.

Deviation #1

On November 9, 2002, at 12:27 p.m. the combustion air became unbalanced due to a waste feed cutoff that occurred at 12:08 p.m. This caused the CO emissions to exceed the permit limit of 17.2 pounds per hour for 22 minutes. The emissions reported were the hourly rolling average.

Onyx operates under Hazardous Waste Permit HW-50212-001 and the 17.2 pound per hour limit is stated in Attachment E of that permit (See Attachment 5 for a copy of the Permit Attachment). Federal Operating Permit (FQP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4) which states: "The permit holder shall comply with all terms and conditions codified in the permit and any provisional terms and conditions required to be included with the permit."

Failure to comply with the requirements of TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code which states: "A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity in violation of this chapter or of any commission rule or order."

Permit Condition V.G. of Permit 50212-001 states, in part: Emissions from this facility must not cause or contribute to a condition of air pollution as defined in Section 382.003 of the TEX HEALTH AND SAFETY CODE or violate Section 382.085 of the TEX HEALTH AND SAFETY CODE. Failure to comply with Section 382.085 is a violation of this condition and Permit 50212-001.

Deviations 2, 3, 4, 6, and 7 were misreported. The deviations were for High CO levels above the permit limit of HW-50212. Onyx was using the wrong formula for calculating the CO in the company data base. After the right formula was put in the database, the CO levels were below the permit limits.

Deviation #5

On January 29, 2003, at 7:27 p.m., insufficient combustion air was available for the rate of the BTUs (British Thermal Unit) that were fed. Combustion air became unbalanced due to a waste feed cutoff that occurred at 7:17 p.m. The emissions reported were the hourly rolling average. Onyx actually had two incidents this day with a revised time of 8:15 p.m. start and end time of 8:21 p.m. for a duration of 6 minutes. The second incident occurred at 9:08 p.m. and lasted until 9:12 p.m. for a duration of 4 minutes. During these two incidents the CO emissions exceeded the permit limit of 17.2 pounds per hour. Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4) which states: "The permit holder shall comply with all terms and conditions codified in the permit and any provisional terms and conditions required to be included with the

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Failure to comply with the requirements of TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code which states: "A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity in violation of this chapter or of any commission rule or order." Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

Deviation #8

On October 21, 2002, through November 30, 2002, Onyx failed to record the hours of operation for the deep well emergency generator (DWBKUP). Onyx operates under Hazardous Waste Permit HW-50212-001 and Provision 1I of the permit states. "The permit holder shall comply with the requirements of 30 TAC 117, Subchapter B, Division 3." Title 30 Section 117.203 applies to the following units: WTBKUP, INCBKUP, DWBKUP, BOILER A, and BOILER B.

The deep well emergency generator is exempted from the requirements of Chapter 117 by 117.203(a)(6)(D) for stationary internal combustion engines which are used exclusively in emergency situations, except that operation for testing or maintenance purposes is allowed for up to 52 hours per year, based on a rolling 12-month average. Units complying with 30 TAC 117.203(a)(6)(D) are required to comply with 30 TAC 117.213(a)(1)(A)(ii), which requires the unit be equipped with run time meters and the hours of operation be recorded. Onyx failed to record the hours of operation for the period of October 21, 2002, through November 30, 2002.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with 30 TAC 117,213(I) is a violation of Provision 1I of Permit HW-50212-001.

Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 Texas Administrative Code (TAC) 122.143(4) which states: "The permit holder shall comply with all terms and conditions codified in the permit and any provisional terms and conditions required to be included with the permit." Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 117.213(I) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

For the reporting period of April 21, 2003 through October 21, 2003, Onyx reported eight deviations.

On May 26, 2003, at 1:50 a.m., a power failure from Entergy resulted in the cessation of operation the induced draft fan, which caused the opening of the thermal relief vent (TRV). This caused the Hydrogen Chloride (HCL), Particulate Matter (PM) and Sulfur Dioxide (SO2) emissions to exceed the permitted limits for 60 minutes. The limits are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM and 49.9 pounds per hour of SO2 (see Attachment 5 for copy of the Permit Limits). Onyx recorded the emissions event as a recordable only event. However the reportable quantity (RQ) for PM is 100 pounds as found in 30 TAC 101.1(84). The definitions state the RQ is the lowest quantity listed in 101.1(84) or 40 Code of Federal Register (CFR) 302, Table 302.4, or 40 CFR 355 Appendix A. If not found in these locations the RQ is 100 pounds. Particulate Matter was not found in these tables. Onyx supplied information from Keith Sheedy (dated March 23, 2001, located in Attachment 6) in a fax that indicated the particulate matter should be speciated. Onyx did not speciate the PM emissions and the fax stated: "if you have reviewed the chemical characteristics of a release and none of the individual compounds are listed per 101.1, then use the 100 pound default." Therefore, the RQ is 100 pounds for PM and the emissions event was not reported as required by 30 TAC 101.201.

During the emissions event Cnyx released 247 pounds of HCL, 820 pounds of PM and 51 pounds of SO2 in a 60 minute period. Failure to report a reportable emissions event is a violation of 30 TAC 101.201(a)(1)(B) and the emissions released during the event are not exempt. See Attachment 7 for a copy of the emissions event report.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 101.202(a)(1)(B) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

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On July 8, 2003, at 1:52 a.m.; a power failure from Entergy resulted in the cessation of the induced draft fan which caused the opening of the thermal relief vent (TRV). This caused the HCL, PM, and SO2 emissions to exceed the permitted limits for 66 minutes. The limits are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM and 49.9 pounds per hour of SO2 (see Attachment 5 for copy of the Permit Limits). During the emissions event Onyx released 73.7 pounds of HCL, 1,914 pounds of PM and 30.6 pounds of SO2 in a 66 minute period. The emissions event was not reported as required by 101.201(a)(1)(B). See Attachment 8 for copy of the emissions event.

Failure to report a reportable emissions event is a violation of 30 TAC 101.201(a)(1)(B) and the emissions released during the event are not exempt. Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 101.201(a)(1)(B) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

On September 18, 2003, at 7:58 a.m., a drum of waste had excessive BTU content that caused the oxygen in the kiln to become depleted. This caused the CO emissions to exceed the permit limit of 17.2 pounds per hour for 35 minutes (see Attachment 5 for copy of the Permit Limits). The reported emissions are the hourly rolling average.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

On October 10, 2003, at 3:08 a.m., a drum ignited while being processed in the shear shredder. The resulting fire caused an emissions release which included HCL, PM, SO2, and CO emissions to exceed the permitted limits for 5 minutes. The limits are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM, 49.9 pounds per hour of SO2, and 17.2 pounds of CO (see Attachment 5 for copy of the Permit Limits). During the emissions event Onyx released 31 pounds of HCL, 300 pounds of PM, 60 pounds of SO2 and 646 pounds of CO in a 5 minute period. Onyx recorded the emissions event as recordable only. Because 300 pounds of PM were released, the event is a reportable event.

Failure to report a reportable emissions event is a violation of 30 TAC 101.201(a)(1)(B) and the emissions released during the event are not exempt. See Attachment 9 for copy of the emissions event.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 101.201(a)(1)(B) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

For the reporting period of October 21, 2003 through April 21, 2004, Onyx reported two deviations.

On November 15, 2003, at 12:12 p.m., a drum of waste had excessive BTU content that caused the oxygen in the kiln to become depleted. This caused the CO emissions to exceed the permit limit of 17.2 pounds per hour for 57 minutes. The CO emissions reported were the hourly rolling average. The highest CO reading was/57 pounds per hour.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

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On December 12, 2003, at 8:32 p.m., a power failure from Entergy resulted in the cessation of the induced draft fan, then the opening of the thermal relief vent (TRV). This caused the HCL, PM, and SO2 emissions to exceed the permitted limits for 60 minutes. The limits are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM and 49.9 pounds per hour of SO2 (see Attachment 5 for copy of the Permit Limits). During the emissions event Onyx released 205 pounds of HCL, 485 pounds of PM and 42 pounds of SO2 inta 50 minute period. Onyx recorded the emissions event as a recordable event only. The emissions of 485 pounds of PM, with the reportable quantity of 100 pounds, requires the event to have been reported.

Failure to report a reportable emissions event is a violation of 30 TAC 101.201(a)(1)(B) and the emissions released during the event are not exempt. See Attachment 10 for copy of the emissions event.

Federal Operating Permit (F@P) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 101.201(a)(1)(B) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

On December 29, 2003, at 1:47 p.m., a drum of waste had excessive BTU content that caused the oxygen in the kiln to become depleted. This caused the CO emissions to exceed the permit limit of 17.2 pounds per hour for 10 minutes. The CO emissions reported are the hourly rolling average. The highest CO reading was 17.9 pounds per hour.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 502 12-001.

On March 10, 2004, at 5:50 a.m. friable ash fell from the top to the bottom of the quench vessel causing the recirculating pump to shut down and then causing the temperature to increase. The increasing temperature caused the automatic opening of the thermal relief vent (TRV). This caused the HCL, PM, and SO2 emissions to exceed the permitted limits for 41 minutes. The limits are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM and 49.9 pounds per hour of SO2 (see Attachment 5 for copy of the Permit Limits). During the emissions event Onyx released 169 pounds of HCL, 780 pounds of PM and 35 pounds of SO2 in a 41 minute period. The permitted SO2 limit was not exceeded. See Attachment 11 for copy of the emissions event.

The emissions of 780 pounds of PM, with the reportable quantity of 100 pounds, requires the event to have been reported. Failure to report a reportable emissions event is a violation of 30 TAC 101.201(a)(1)(B) and the emissions released during the event are not exempt.

Federal Operating Permit (F©P) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4). Failure to comply with the requirements of 30 TAC 122.143(4) and 30 TAC 101.201(a)(1)(B) is also a violation of Section 382.085(b) of the Texas Health and Safety Code. Failure to comply with Section 382.085 is also a violation of Permit Condition V.G. of Permit 50212-001.

OUTSTANDING ALLEGED VIOLATIONS

Track No: 168616 Compliance Due Date: No Date Entered

30 TAC Chapter 122.143(4) 5C THC Chapter 382.085(b)

PERMIT HW 50212-001

Permit Condition V.G. of Permit 50212-001 requires that this facility must not violate Section 382.085 of the TEX HEALTH AND SAFETY CODE.

Alleged Violation: Investigation: 277008

Comment Date: 08/25/2004

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Failure to maintain an emission rate below the allowable emissions limit. The Incinerator stack has an emission limit for Carbon Monoxide (CO) of 17.2 pounds per hour. Hazardous Waste Permit HW-50212-001 establishes the 17.2 pound per hour limit in Attachment Elof that permit.

The permit limit was exceeded five times since the Federal Operating Permit was issued. On November 9, 2002, the CO emissions exceeded the permit limit for 22 minutes on an hourly rolling average.

On January 29, 2003; the CO emissions exceeded the permit limit during two incidents. The first started at 8:15 p.m. and ending of 8:21 p.m. for a duration of 6 minutes. The second incident occurred at 9:08 p.m. and lasted until 9:12 p.m. for a duration of 4 minutes. The hourly rolling average CO limit was exceeded.

On September 18, 2003, the CO emissions exceeded the permit limit for 35 minutes on an hourly rolling average.

On November 15, 2003, the CO emissions exceeded the permit limit for 57 minutes on an hourly rolling average. The highest CO recorded was 57 pounds per hour.

On December 29, 2003, the CO emissions exceeded the permit limit for 10 minutes on an hourly rolling average. The highest CO recorded was 17.9 pounds per hour.

Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC: 122.143(4) which states: "The permit holder shall comply with all terms and conditions codified in the permit and any provisional terms and conditions required to be included with the permit."

Failure to comply with the requirements of TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code which states: "A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity in violation of this chapter or of any commission rule or order."

Recommended Corrective Action: Submit a corrective action plan and/or documentation necessary to address the alleged violations to prevent recurrence of same or similar incldents.

Resolution:

Track No: 168626

Compliance Due Date: No Date Entered

30 TAC Chapter 117.213(a)(1)(A)(ii)

30 TAC Chapter 122.143(4)

5C THC Chapter 382.085(b)

PERMIT HW 50212-001

Permit Condition V.G. of Permit 50212-001 requires that this facility must not violate Section 382.085 of the TEX HEALTH AND SAFETY CODE.

Alleged Violation:

Investigation: 277008

Comment Date: 08/25/2004

Failure to maintain and record the hours of operation of the deep well emergency generator (DWBKUP).

From October 21, 2002, through November 30, 2002, Onyx failed to record the hours of operation for the deep well emergency generator (DWBKUP). Provision 11 of Hazardous Waste Permit HW-50212-001 permit states: "The permit holder shall comply with the requirements of 30 TAC 117, Subchapter B, Division 3." Title 30 Section 117,203 applies to the following units WTBKUP, INCBKUP, DWBKUP, BOILER A, and BOILER B

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The deepwell emergency generator is required to comply with 30 TAC 117.213(a)(1)(A)(ii), which requires the hours of operation be recorded. Failure to comply with 30 TAC 117.213(a)(1)(A)(ii) is a violation of Provision 1I of Permit HW-50212-001. Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of 30 TAC 117.213(a)(I)(A)(ii) and 30 TAC 122.143(4) is also a violation of Section 382.085(b) of the Texas Health and Safety Code.

Recommended Corrective Action: Submit a corrective action plan and/or documentation necessary to address the alleged violations to prevent recurrence of same or similar incidents.

Resolution:

Track No: 168630 Compliance Due Date: No Date Entered

30 TAC Chapter 101.201(a)(1)(B)

5C THC Chapter 382.085(b)

PERMIT HW 50212-001

Permit Condition V.G. of Permit 50212-001 requires that this facility must not violate Section 382.085 of the TEX HEALTH AND SAFETY CODE.

Alleged Violation:

Investigation: 277008

Comment Date: 08/25/2004

Failure to notify the regional office of reportable emissions events at the incinerator which occurred on May 26, 2003, July 8, 2003, October 10, 2003, December 12, 2003, and March 10, 2004.

During each of the emissions events, Onyx released more than 100 pounds of Particulate Matter (PM) which made the event reportable because the reportable quantity for PM is 100 pounds.

Based on the fact that the emissions events were not reported correctly, the emissions associated with these events are unauthorized. See Violation Track Number 168633 for the violations associated with the unauthorized emissions.

Recommended Corrective Action: Submit a corrective action plan and/or documentation necessary to address the alleged violations to prevent recurrence of same or similar incidents.

Resolution:

Track No: 168633

Compliance Due Date: No Date Entered

30 TAC Chapter 122.143(4): 5C THC Chapter 382.085(b):

PERMIT HW 50212-001

Permit Condition V.G. of Permit 50212-001 requires that this facility must not violate Section 382.085 of the TEX HEALTH AND SAFETY CODE.

Alleged Violation:

Investigation: 277008

Comment Date: 08/25/2004

Failure to maintain an emission rate below the allowable emissions limit.

On May 26, 2003, Onlyx released 247 pounds of HCL, 820 pounds of PM and 51 pounds of SQ2 in a 60 minute period starting at 1:50 a.m. during an emissions event.

On July 8, 2003, Onex released 73.7 pounds of HCL, 1,914 pounds of PM and 30.6 pounds of SO2 in a 66 minute period during an emissions event.

On October 10, 2003, Onyx released 31 pounds of HCL, 300 pounds of PM, 60 pounds of SO2 and 646 pounds of CO in a 5 minute period during an emissions event.

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On December 12, 2003, Onyx released 205 pounds of HCL, 485 pounds of PM and 42 pounds of SO2 in a 50 minute period during an emissions event.

On March 10, 2004, Onyx released 169 pounds of HCL, and 780 pounds of PM in a 41 minute period during an emissions event. The permitted SO2 limit was not exceeded.

The permit limits of Hazardous Waste Permit 50212-001 are 3.21 pounds per hour of HCL, 9.0 pounds per hour for PM and 49.9 pounds per hour of SO2. Federal Operating Permit (FOP) 1509 requires the facility to comply with HW-50212-001. Failure to comply with the requirements of Permit HW-50212-001 is a violation of 30 TAC 122.143(4).

Based on the fact that the emissions events were not reported correctly, the emissions are unauthorized. See Violation Track Number 168630 for the violations associated with the reporting requirements.

Recommended Corrective Action: Submit a corrective action plan and/or documentation necessary to address the alleged violations to prevent recurrence of same or similar incidents.

Resolution:

Signed _	Goldy J. White	
	Environmental Investigator	

Date <u>Alzefo4</u>

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR	₹)	Maps, Plans, Sketches
Letter to Facility (spęcify type) :		Photographs
Investigation Report		Correspondence from the facility
Sample Analysis Results		Other (specify) :
Manifests		out (opacity) :
NOR	Attachment 1	Permit Compliance Certification
NOR	Attachment 2	Deviation Report
	Attachment 3	Deviation Report
	Attachment 4	Deviation Report
	Attachment 5	Attachment E of Permit 50212
	Attachment 6	Keith Sheedy E-mail
	Attachment 7	Reportable Emissions Event
	Attachment 8	Reportable Emissions Event
	Attachment 9	Reportable Emissions Event
÷	Attachment 10	Reportable Emissions Event
	Attachment 11	Reportable Emissions Event
	Attachment 12	Potential Violations Form

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Attachment 1 Permit Compliance Certification Report

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

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RILW



-- INVESTIGATION

277008

November 21, 2003

CERTIFIED MAIL PAGE 2 OF 9

RETURN RECEIPT REQUESTED 7003 1680 0001 4939 0386

7

Ms. Margaret Hoffman c/o Mr. Stuart Mueller Regional Air Section Manager TCEQ, Region 10 3870 Eastex Fwy., Suite 110 Beaumont, Texas 77703-1892

RECEIVED

NOV 2 4 2003

TOEL Region 10

Beautions

RE: Title V Permit Compliance Certification Report

Permit Number 0-01509, Account Number JE-0024-D

Onyx Environmental Services, L.L.C.

Hwy 73, 3.5 Miles West of Taylors Bayou, Port Arthur, TX

Dear Mr. Mueller:

In accordance with 30 TAC §122.146(1), Onyx Environmental Services, L.L.C., (OES) is submitting the annual Permit Compliance Certification report (Form PCC), the certification by the Duly Authorized Representative (Form OP-CR01) and the current TCEQ Core Data Form for the referenced permit.

Should you have any questions regarding the deviation report or need additional information, please feel free to contact Mona Rountree at (409) 736-4122 or me at (409) 736-4146.

Sincerely,

Daniel J. Duncan

Environmental, Health and Safety Manager

Onyx Environmental Services, L.L.C.

CC:

Art Mathes

Mona Rountree

Central Records

(w/Attachments)

WORLD HONG



NOV 2 4 2003

TNRCC Core Data Form

TNRCC Use Only

TCEQ - Region 10
Beaumont

They may also have any errors in their information corrected. To review such information, contact us at 512-239**2**2927 0 0 8

SECTION I: General Int		· · · · · · · · · · · · · · · · · · ·			Δ	TACHMENT	
I. Reason for Submission Ex Title V Minor Permit Re	ample; new wa vision	stewater permi	it; /HW registra	ation; c	hange in customer in	AGEn; etc. OF	
Attachments De No De	escribe Any At ermit Compli	tachments: (e ance Certific	x: Title V App. ation	ication	, Waste Transporter Ap	plication, etc.)	
. Customer Reference Number	r-if issued		4. Re	gulate	d Entity Reference Nu	mber-if issued	
CN	(9 digits)		RN	•		(9 digits,	
ECTION II: Customer	Informatio	- n		-			
Customer Role (Proposed or	THE RESERVE OF THE PERSON NAMED IN COLUMN 1		Regulated En	tity List	ed on This Form		
lease check <u>one</u> of the following	g: 🔲 Own	er 🗌 Or	perator	×	Owner and Operator		
Occupational Licensee 🔲 V	olunteer Clean	up Applicant	Other:				
	Superfund.				Respondent		
General Customer Information New Customer Change to the "No Change" and S	o Customer Inf	ormation [Change in F	egulat	ed Entity Ownership		
Type of Customer: In Ir Federal Government Other Government	ndividual [Sole Propried	☐ County G	overnit	Partnership 🔀 nent 🗌 City G	Corporation Sovernment	
Onyx Environmental Se Mailing Address: P.O. Box	rvices, LLC	t last name firs	t) If new I	name,	enter previous name:	-	
City			St	ate	ZIP	ZIP + 4	
	Port A	rthur		x	77643	2563	
. Country Mailing Information	n if outside USA	4	11. E-Mail A	ddress	If applicable		
. Telephone Number (409)736-2821		13. Extension	on or Code	14. Fa	Fax Number if applicable (409)736-1836		
. Federal Tax ID (9 digits) 16 743024262	. State Franch	ise Tax ID Nu	mber if applic	able	17. DUNS Number //	^e applicable (9 digits)	
. Number of Employees] 0-20	-250 🗌 251	-500 🗌 501	and higher	19. lr	adependently Owned a		
ECTION III: Regulated	Entity Info	rmation					
. General Regulated Entity in New Regulated Entity Cha	formation ange to Regula	ted Entity Infor	metion ⊠ N	o Char	nge* Preparer Information.		
. Regulated Entity Name (If er Onyx Environmental Ser	individual, plea	ase print last n	ame first)	1 IV - F	reparer information.		

INVESTIGATION

22. Street Address: (No P.O. Boxes) 23. Mailing Address	City P.O. Box 256 City	Port Arthu						
Address	P.O. Box 256					277	0 0 8	
Address				State		ATTACHMENT		
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•	City	3						
	City							
				State		ZIP	ZIP + 4.	
	;	Port Arthu	r	Tx		77 64 3	2563	
4. E-Mail Address:							2000	
5. Telephone Numbe	er	26	Extension or Co	ode 27.	Fax Numb	er if applicable		
(409)7	736-2821					/400)776 45	nc	
8. Primary 29.	Secondary					(409)736-16	36	
SIC Code	SIC Code	30. Prima	ary NAICS Code		31. Sec	ondary NAICS	Code	
(4 digits)	(4 digits)		(5 or 6 digits)			(5 or 6 d		
4953			562211					
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i. Nearest City					State	Nea	rest ZIP	
Port Acres					Tx	77640		
							7640	
i. Latitude (N)	<u>:</u>		37. Lo	ngitude (V)			7640	
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TNRCC

Form OP-CRO1 Certification by Responsible Official Federal Operating Permit Program

277008

PAGE 5 OF 9

Title 30 Texas Administrative Code § 122.132(e) [30 TAC § 122.132(e)] (relating to "Application and Required Information") and 30 TAC § 122.165 (relating to "Certification by Responsible Official") require that a Responsible Official (RO), or appropriate designee, shall certify all documents submitted to the Texas Natural Resource Conservation Commission (TNRCC) as consideration for, or in support of, a federal operating permit (FOP), or that are required by 30 TAC Chapter 122 or by operating permit condition(s). This includes application materials, as well as, any associated federally applicable requirements, such as compliance monitoring, record keeping, testing, or reporting submittals. The certification shall state that, based upon the information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete, and must be signed by the RO, Duly Authorized Representative (DAR), Designated Representative (DR), or Alternate Designated Representative (ADR). (The DR and ADR apply to Title IV acid rain sources only. The DR or ADR shall certify application information for sites with one or more units subject to the Acid Rain Program, and shall certify application information and reports as an RO.) This Form OP-CRO1 satisfies these certification requirements in a manner consistent with 30 TAC § 122.165.

All initial permit application, permit revision, renewal, and reopening submittals requiring certification must be accompanied by this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications must be certified prior to public notice of the draft permit. Updates to general operating permit (GOP) applications must be certified prior to receiving a authorization to operate under a GOP.

	<u> </u>						
I. IDENTIFYING INFORMATION							
A. Account No.: JE-0024-D	B. Permit No.: O-01509	C. Project No.: 1509					
D. Area Name: Port Arthur Facility							
E. Company Name: Onyx Environmental	Services, L.L.C.						
H. CERTIFICATION TYPE (Place of	n "X" in the appropriate boxfes	24/17 1911 (1911)					
A. Responsible Official:	2,1,1	-20					
B. Duly Authorized Representative:		x					
C. Designated Representative (Title IV ac	id rain sources only).						
D. Alternate Designated Representative (
III. SUBMITTAL TYPE (Place an "X" SOP/TOP Initial Permit Applicat	in the appropriate box) (Only of						
	ion	Permit Revision/Renewal/Reopening					
GOP Initial Permit Application		Update to Permit Application*					
X Other: Permit Compliance Certifi							
IV. CERTIFICATION OF TRUTH, A	CURACY, AND COMPLET	TENESS					
This certification does not extend to in	formation which is designated	by the TNRCC as information for reference only.					
I,A.F. Mathes							
(Name printed or typed)	certify that I am th	the <u>DAR</u> and that, based on information DAR, DR, and/or ADR)					
and belief formed after reasonable inquiraccurate, and complete: 11-21-2003		on dated the following, or herein attached, are true,					
Date 1* Date 2*	Date 3* Date 4* Date	te 5* Date 6* Date 7* Date 8*					
Dates 2-8 should only be completed if the certify updates that are, as yet, uncertified the public notice certification.	e box for "Update to Permit Ap If this is an "Update to Permit	pplication" is marked above, and this form is being used to t Application," it must be submitted before, or at the time of,					
Signature:		Signature Date: November 21, 2003					
Title: General	Manager	÷.					
IPCC 10000 (D. 10.15							

TNRCC-10009 (Rev. 10-15-98)

OP-CRO1 Forms - These forms are for use by sources subject to the

Federal Operating Permit Program and are subject to revision. [AOPDG95A/760-v16]

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xas Federal Operating Permit Forn PCC Permit Compliance Certification (Part 1)

INVESTIGATION

277008

PAGE 6 OF 9

Company Name	Onyx Environ	mental Services, L.L.C.	Account No.	JE-0024-D
Area Name	Port Arthur Fac	cility	Op Permit No.	O-01509
Certification Period Began on	October 21, 2002	And Ended on October 21;	"你是是是我们的人们的,这些我们才被对你的人们就都没有好好。""不过	November 21, 2003

ic Confined in the Continuous Committee Continue in the Continue C	ilën Ve	on &
With the possible exception of those permit terms and conditions identified in the 'Summary of Deviations' found using, at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information, was the company in continuous compliance with all the terms and conditions of the permit over the Certification Period?	х	

II	Summary of Deviations (Indicate response by placing a, x in the appropriate column for each of the following questions)	Respo	nse No
A.	Were there any deviations from any terms or conditions of the permit during the Certification Period that have previously been reported to the agency? If the answer to this question is 'Yes', please complete Part 2, and attach Part 2 to this page.	x	
	Important Note: If previously submitted reports did not contain specific information on monitoring methods, frequency and the total number of deviations experienced over the entire certification period, then use Part 3 to provide that information.		
В.	Were there any deviations from any terms or conditions of the permit during the Certification Period that are currently being submitted to the agency?	х	
	If the answer to this question is Yes', please include the relevant reports along with this page.		

NOTE: The Responsible Official must certify the information reported in conjunction with this form in accordance with 30 TAC 122.143(16) utilizing form OP-CRO1 (Certification by Responsible Official). Therefore, complete an OP-CRO1 and attach it to this Compliance Certification package and submit the package to the appropriate TNRCC Regional Office.

Texas Federal Operating Permit Form PCC Permit Compliance Certification (Part 2)

277008

ATTACHMENT PAGE 7 OF 9

A CAN MAN AND THE RESERVE OF THE PARTY OF TH			
Company Name	Onyx Environmental Services, L.L.C.	Account No.	JE-0024-D
Area Name		Op-Permit No.	O-01509
Certification Period Began on	October 21, And Ended on October 21, 2002 2003	Report Submittal Date	November 21, 2003

			AND MARKET NAME AND ADDRESS OF THE PARTY OF
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Reports	Septimonia de la companya del companya de la companya del companya de la companya		10 (+10 (0 fam)
i di	The state of the s		Bravings sk
			7.02
05/26/2003	Reportable Event/Activity Notification/Reporting Form for the Port Arthur Facility related to HW-50212 permit emission limits of HCL, PM and SO2.	Beaumont, TCEQ- Region 10	N
05/21/2003	Semi annual deviation report for Emission Point Number (EPN) INCINSTK driven by HW-50212-001 Attachment E requirements.	Beaumont, TCBQ Region 10	Y
05/21/2003	Semi annual deviation report for the Deepwell Emergency Backup Generator driven by Permit O-01509 Provision 1.1. record keeping requirements.	Beaumont, TCEQ Region 10	Y
11/21/2003	Semi annual deviation report for Emission Point Number (EPN) INCINSTK driven by HW-50212-001 Attachment E requirements.	Beaumont, TCEQ Region 10	Y
1/21/2003	Semi annual deviation report for Facility Identification Number (FIN) INCINERATE driven by HW-50212-001 Attachment E requirements.	Beaumont, TCEQ Region 10	Y
			

Texas Operating Permit Deviation Summary Report Form Form PCC (Part 3)

JE-0024-D	O-01509	11/21/2003		Total	Number	Deviations (Rq.d)	6	-	3	3	2			IN	<u> </u>	STIGATION
	6	11/		uirements	licable)	Frequency	Continuous	NA	N/A	N/A	Continuous			AT PA	TAC GE	77008 HMENT 1 2 OF 9
		Report Submittal Date			Rq'd As App	connection to the second	Ш.Н.З.е.	N/A	N/A	N/A	Attachment E					
Account No.	Op Permit No.	Report Sub		2 : 1:17	4111 7	TAXABLE IN		R71C1-1								
		21/2003		Tracat	Kequirement (Ro.d.)		STANDARD	RECORD	STANDARD	STANDARD	STANDARD					-
Onyx Environmental Services, L.L.C.	,	And Ended on 10/21/2003		Regulation.	(Citation Roid (F.)	, A.		117.219(f)(6)(B)								
Onyx Environmen	Port Arthur Facility	10/21/2002	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Politicant	Applicable		ОО	N/A	HCL	PM	S02					
npany Name			1	Province	RG'd II	Applicable)	HW-50212-001 ATT. E	O-01509 Pravision 1.1.	HW-50212-001 ATT. E	HW-50212-001 ATT. E	HW-50212-001					
		riod Began on	京東 東京 東京	mber	Group											
Company Name		Certification Period Began on	Company of the state of the sta	Ra'd if Andicate	Unit		INCINSTK	DWBKUP	INCINERATE	INCINERATE	INCINERATE					

ESTIGATION

CHMENT 1

TCEC region 10 Beaumont NOV 2 4 2003

CRYX ENVIRONMENTAL SERVICES

XXNO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY 3870 EASTEX FREEWAY - SULTE 110 REGIONAL AIR SECTION MANAGER BEAUMONT, TEXAS 77703-1892 C/O MR STUART MUELLER MS MARGARET HOFFMAN

Highway 73 - 3.5 mites west of Taylors Bayou Post Office Box 2563 - Port Arthur, Texas 77640







TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Attachment 2 Deviation Report

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719
Investigation Number 277008

Investigation Date - July 16, 2004

Page 1 of 9



RW102221290

RECEIVED

MAY 22 2003

TCEO - Region 10 Beaumont

May 21, 2003

CERTIFIED MAIL INVESTIGATION
RETURN RECEIPT REQUESTED
7001 0320 0005 1228 7035

277008

Ms. Georgie Volz Regional Director

ATTACHMENT 2 PAGE 2 OF 9

Texas Commission on Environmental Quality (TCEQ), Region 10 3870 Eastex Fwy., Suite 110 Beaumont, Texas 77703-1892

RE: Title V Federal Operating Permit Deviation Report
Permit Number 0-01509, Account Number JE-0024-D
Onyx Environmental Services, L.L.C.
Hwy 73, 3.5 Miles West of Taylors Bayou, Port Arthur, TX

Dear Ms. Volz:

In accordance with 30 TAC §122.145(2), Onyx Environmental Services, L.L.C., (OES) is submitting the semiannual deviation report (Form DevRpt), the certification by the Duly Authorized Representative (Form OP-CR01), the Delegation of Responsible Official Authority (Form OP-DEL), and the current TCEQ Core Data Form for the referenced permit. As discussed with Mr. Thomas Ennis (OES's permit writer with TCEQ in Austin) revisions to the permit, including newly promulgated regulations that now apply to the facility, will be submitted to TCEQ on or before July 1, 2003.

Should you have any questions regarding the deviation report or need additional information, please feel free to contact Mona Rountree at (409) 736-4122 or me at (409) 736-4146.

Sincerely,

Daniel J. Duncan

Environmental, Health and Safety Manager Onyx Environmental Services, L.L.C.

cc:

Art Mathes

Mona Rountree

Central Records

(w/Attachments)

INFORMATION LOFY

VIVENDI Environment

Onyx Environmental Services, L.L.C. Post Office Box 2563, Port Arthur TX 77643 Tel: 409 736 2821

Form OP-DEL

Diagration of Responsible Official Autho. Federal Operating Permit Program

277008

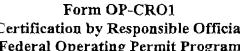
ATTACHMENT_ PAGE 3 OF 9

A Responsible Official (RO) representing a corporation or military base may choose to delegate signature authority to a Duly Authorized Representative (DAR). Such delegation may be made to an individual or designated to a title that has responsibility for the overall operation of one or more manufacturing, production, or operating facilities applying for, or subject to, a federal operating permit. This Form OP-DEL must bear the original signature of the RO and the DAR. Electronic submittals of this form will not be accepted by the Texas Natural Resource Conservation Commission (TNRCC). After the initial submittal permit application submittal, if there is a new delegation or information change for the RO, Designated Representative (DR), or Alternate Designated Representative (ADR), include a completed Form OP-CRO2 (Change of Responsible Official) with the next submittal to the Texas Natural Resource Conservation Commission (TNRCC).

I. IDENTIFYING INFORMATION				
A. Account No.: JE-0024-D	B. Permit No.: 0	0-01509)	C. Project No.: 1509
D. Area Name: Onyx Environmental Service	es, L.L.C.			
E. Company Name: Onyx Environmental S	ervices, L.L.C.			
F. Action Type: New DAR I	dentification:	x	Adminis	strative Information Change:
II. DESIGNATION OF TITLE AUTHO	RITY			
A. Title: General Manager				B. Effective Date: May 20, 2003
III. DULY AUTHORIZED REPRESEN	TATIVE INFOR	MATIO)N	
A. Name: A.F. Mathes				
B. Title: General Manager		C	C. Effective Date: M	Iay 20, 2003
D. Telephone: 409,736.4104		E	Fax: 409.736.163	6
F. Mailing Address: P.O. Box 2563				
City: Port Arthur		S	tate: Texas	Zip Code: 77643
G. Delivery Address: Hwy. 73 3.5 Miles We	est Taylor Bayou			
City: Port Arthur			tate: Texas	Zip Code: 77640
IV. CERTIFICATION OF TRUTH, ACC	CURACY, AND C	OMPL	ETENESS	
I, GREIG R. SIEDOR (RO or DAR name printed or typed) Responsible Official Signature:	the statements and	iniom:	iation stated above a	belief formed after reasonable inquiry, are true, accurate, and complete.
Title: VICE PRESI BENT				
Duly Authorized Representative Signature:	<i>421</i>	1/4	athing.	Signature Date: May 20/03
Title:	el Ma	e so	ager	

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Form OP-CRO1 Certification by Responsible Official Federal Operating Permit Program



27700B

ATTACHMENT 2 PAGE 4 OF 4

Title 30 Texas Administrative Code § 122.132(e) [30 TAC § 122.132(e)] (relating to "Application and Required Information") and 30 TAC § 122.165 (relating to "Certification by Responsible Official") require that a Responsible Official (RO), or appropriate designee, shall certify all documents submitted to the Texas Natural Resource Conservation Commission (TNRCC) as consideration for, or in support of, a federal operating permit (FOP), or that are required by 30 TAC Chapter 122 or by operating permit condition(s). This includes application materials, as well as, any associated federally applicable requirements, such as compliance monitoring, record keeping, testing, or reporting submittals. The certification shall state that, based upon the information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete, and must be signed by the RO, Duly Authorized Representative (DAR), Designated Representative (DR), or Alternate Designated Representative (ADR). (The DR and ADR apply to Title IV acid rain sources only. The DR or ADR shall certify application information for sites with one or more units subject to the Acid Rain Program, and shall certify application information and reports as an RO.) This Form OP-CROI satisfies these pertification requirements in a manner consistent with 30 TAC § 122.165.

All initial permit application, permit revision, renewal, and reopening submittals requiring certification must be accompanied by this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications must be certified prior to public notice of the draft permit. Updates to general operating permit (GOP) applications must be certified prior to receiving a authorization to operate under a GOP.

I. IDENTIFYING INFORMATION	
A. Account No.: JE-0024-D B. Permit No.: O-01	509 C. Project No.: 1509
D. Area Name: Onyx Environmental Services, L.L.C.	
B. Company Name: Onyx Environmental Services, L.L.C.	
II. CERTIFICATION TYPE (Place on "X" in the appropriate	box[es])
A. Responsible Official:	
B. Duly Authorized Representative:	
C. Designated Representative (Title IV acid rain sources only):	
D. Alternate Designated Representative (Title IV acid rain sources	only):
III. SUBMITTAL TYPE (Place an "X" in the appropriate box)	(Only <u>one</u> response can be accepted per form)
SOP/TOP Initial Permit Application	Permit Revision/Renewal/Reopening
GOP Initial Permit Application	Update to Permit Application*
X Other: Deviation Report	
IV. CERTIFICATION OF TRUTH, ACCURACY, AND COM	PLETENESS
This certification does not extend to information which is desi	guated by the TNRCC as information for reference only.
I, A.F. Mathes , certify that	I am the DAR and that, based on information
	(RO, DAR, DR, and/or ADR)
and belief formed after reasonable inquity, the statements and info accurate, and complete: 05-20-2003	ormation dated the following, or herein attached, are true,
Date J* Date 2* Date 3* Date 4*	Date 5* Date 6* Date 7* Date 8*
	Permit Application" is marked above, and this form is being used to Permit Application," it must be submitted before, or at the time of,
Signature:	Signature Date: May 20/03
Title:	weger

TNRCC-10009 (Rev. 10-15-98)

OP-CRO1 Forms - These forms are for use by sources subject to the

TNRCC Core Data Form

INVESTIBLATION

SECTION I: General la	nform	ation					27700
Reason for Submission	zampl	: new was i	'ewater permit;	IHW regist	ration; cl	hange in customer informa	
Texas Operating Pern	nit Dev	iation Re	port	_		<i>P</i>	TTACTION OF
2. Attachments ☐ Yes ☒ No	Describ Form D	e Any Atta DevRpt, F	orm OP-CRC	: Title V Ap 01, and Fo	olication, rm OP-	Waste Transporter Appli DEL	etion, etc.)
3. Customer Reference Num	ber-if is	sued	, , , , , , , , , , , , , , , , , , , ,	4. R	gulatec	Entity Reference Numb	er-If issued
CN		(9 digits)		RN		18 17 18 11 18 11 18 11 11	(9 diglts)
SECTION II: Custome	r Info	rmation					
5. Customer Role (Proposed	or Actu	al) As It F	leiates to the F	Regulated E	ntity List	ed on This Form	
Please check <u>one</u> of the follow Occupational Licensee	-	☐ Owner		erator	×	Owner and Operator	
TNRCC Use Only		perfund	□ Ps	Γ		Respondent	
6. General Customer Informa ☑ New Customer ☐ Chang *Jf "No Change" and	e to Cu					ed Entity Ownership Entity Information.	No Change*
7. Type of Customer: Federal Government Other Government	Individ	ual 🔲 State Gover	Sole Proprieto	orship - D.B County Other		·	corporation vernment
8. Customer Name (If an India Onyx Environmental S			last name first	")			
9. Mailing Address: P.O. B	ox 256	3					
City	1			,	State	ZIP	ZIP + 4
	į	Port Ar	thur		TX	77643	2563
10. Country Mailing Informat	ti on <i>if o</i>	utside USA !		11. E-Mail	Address	s If applicable	
12. Telephone Number		:	13. Extensio	n or Code	14. Fa	ax Number if applicable	
(409)736-28	21		<u> </u>			(409)736-16	36
15. Federal Tax ID (9 digits) 743024252	16. Sta	te Franchi	se Tax ID Nur	mber if app	licable	17. DUNS Number if a	
18. Number of Employees		:			19. 1	ndependently Owned ar	nd Operated?
□ 0-20 □ 21-100 □ ·	101-25(251	500 🖾 501	and highe	}	☐ YES	⊠ NO
SECTION III: Regulate	ed En	tity Info	rmation				
20. General Regulated Entity ☑ New Regulated Entity ☐ *If "No Ch	Change	to Regulat	ted Entity Infor Lis complete,	mation [skip to Sec	No Cha	inge* Preparer Information.	
21. Regulated Entity Name (I Onyx Environmental S	f an ind	vidual, ple					

5124778526

								·	277008
22.	Street Address:	7665 Hwy 73							7
	(No P.O. Boxes)	. (CHMENT 2
	,	City		~~~	Q+	ate	7	PAG	ZIP + 4
		City	-						
L			Port Art	nur		X	77	640	2563
23.	Mailing	P.O. Box 25	3		···				
	Address					~~~~			
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24.	E-Mail Address:	·			<u> </u>	Ţ			·
25 ,	Telephone Numb	per		26. Extensio	n or Code	27. Fa	k Number	if applicable	
	(409)	735-2821				}		(409)736-16	36
<u>28</u> .		9. Secondary				·	T		
	SIC Code	SIC Code	30. Pr	imary NAICS	Code 6 digits)		31. Seco	ndary NAICS (5 or 6 c	
	(4 digits) 4953	(4 digits)		(50/0	o digita)			(50) 50	<i>signo</i>
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32.	What is the Prim	ary Business o	this entity	? (Please do	not repeat the	SIC of	NAICS de	scription.)	
	Indusrial and h	azardous wa	: ste incine:	ration					
		<u> </u>							1994
	Question	ns 33 - 37 addre	ss geograf	ohic location,	Please refe	r to the	Instruction	ns for appli	cability.
33.	County: Jeffers	תסו							
34.	Description of Pl	nysical Locatio	n						
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		3, 6.3 miles W	est of the	intersection	OI WEST PO	,, , , , , , , , , , , , , , , , , , ,			
35.	Nearest City	:	!				State	Ne	arest ZIP
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36.	. Latitude (N)	;			37. Longitu	ae (W)	1	1	
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38.	. TNRCC Program	s in Which This	Regulated	I Entity Partic	cipates Not a or are unsure	ll progra e, pleas	ams have b e mark "un	een listed. Pi known."	lease add to
I	Animal Feeding O	peration	⊠ Pe	troleum Stora	ge Tank		⊠ Wate	r Rights	
	Title V – Air	,		astewater Peri					
⊩—	Industrial & Hazar	dous Waste		ater Districts			17	: : : <u></u>	
				ater Utilities			☐ Unkr	OWD	
닖	Municipal Solid W		·				TEJ DIIKI		
X	New Source Revie	èw - Alſ	LIC	ensing - TYPI	<u> </u>				
SI	ECTION IV: P	renarer info	rmation						
		reparer into	manon				40 Title	 	
39	. Name Daniel J. Dunc	can	<u>.</u>				40. Title Env		Safety Manager
 -				10 = : :		10 -			
41	Telephone Numl. //00		(!	42. Extension	on or Code	43. Fa	x Number	if applicable	626
-)736-4146	<u> </u>	1		<u> </u>		(409)736-1	030
44	. E-Mail Address:	dduncan@on	yxes.com						

Texas Operating Permit Deviation Report Form

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N/A	Applicable) Group ID	A F	116	0.	
HW-50212-001 ATT. E	Provision No. (Regulatory Requision No. (Regulatory) Requirement (Citation Regulatory Applicable)		October 21, 2002	Onyx Environmental Services, L.L.C.	Onyx Environmental Services, L.L.C.
8	Pollutant (Rg d if Applicable)	Operating Permit	And	l Services, L.L.C.	al Services, L.L.C
N/A		15	nded on the same		
Standard	Type of Requirement (Aqui)	hich Deviations a	April 21, 200	A BROWN	
N/A	SOP or GOP Index Number (See Instructions)	100	03		
III.H.3.e.	Monitoring Requirements (Rq'd's Applicable) Citation Requ		Report Submittal Date	Operating Permit No.	Account Nos Science
Continuous	rements cable) Rrequency		May 21, 2003	O-01509	ЈЕ-0024-D

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Texas Operating Permit Deviation Report Form

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	Permit Provision No.		tober 21, 2002	iyx Environmenta	Onyx Environmental Services, L.L.C
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(1,000) (1,000)	Туре од	bich Deviations a	April 21, 20		
(Sec Instructions)	SOF or GOP	re Being Reported		Adding to the state of the stat	
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Frequency	irements	may 21, 2003	May 71 7001	0-01509	JE-0024-D
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				•	Deta	Details of Deviations from Above Referenced Requirement	
Event		Deviatio	Deviation Period		#	Gause of Deviation	on) Corrective Action Taken to Bemody or Mainte
Optional)	Start		End ?		30		Deviation Situation
	Date	Time	Date Time	Time	Devs:		
4	01/09/2003	10:45 am	01/09/2003 10:45 am 01/10/2003 10:45 pm	10:45 pm	-	The incinerator was being started up in a controlled heat up.	No wastes were fed on these days, the incinerator was
						temperatures. This results in high CO. The CO averaged 28.9 lbs/hr vs the permitted limit of 17.3 lbs/hr.	heated up as expeditiously as possible to limit CO emissions.
5	01/29/2003	7:27 pm	7:27 pm 01/29/2003	7:35 pm	-		As required, waste feeds were automatically shut off at 7:17
						17.6 lbs/hr vs the permitted limit of 17.3 lbs/hr.	permissive levels.
0	01/31/2003	9:08 pm	9:08 pm 01/31/2003	10:18 pm	_	Combustion air to waste ratio became unbalanced. CO was 22.3 fbs/hr vs the permitted limit of (7.3 lbs/hr.	As required, all wastes were automatically cut off at 9:02 pm, and remained shut off until CO emissions returned to
7	02/11/2003	5:31 am	02/11/2003	7:10 am	<u>-</u>	The incinerator was being shutdown in a controlled cool	No wastes were fed since 00:20 am, the incinerator was
						ain aged	heated up as expeditiously as possible to limit CO emissions.
	Tot	Total Deviation	1281				

Form DevRpt, rev 980831

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Om AV		On	Onyx Environmental Services, L.L.C.	ental Se	rvices, L.L.(Accountation	JE-0024-D
Yrea Come		On)	Onyx Environmental Services, L.L.C	ental Sei	rvices, L.L.C	<u>.</u> ,				O Alsan
Report 10	Tiod Began	Oct	October 21, 2002		Andi	And I bded on the lease	April 21, 200	03		21 200
ימן		P		Oper	ating Permi	Operating Permit Requirement for Which Deviations are	hich Deviations a	re Being Reported	Pass port Submittanguage	אנמץ בו _ז בעט
ID (Rq'd i Unit ID	ID Number (Rq'd if Applicable) if ID Grou	cable) Group ID	Permit Provision No. (Rq'd tt Abolicable)		Pollufant (Rq'd if Applicable)	Regulatory Requirement (Citation Royd If	Type of Requirement		Monitoring Requ (Rqd as Apple Citation	ilrements infile) Frequency
DWBKUP		N/A	O-01509 Provision 1.1		N/A	117.219(f)(6)(B)	RECORD	R7ICI-1	N/A	N/A
					Details of	Details of Deviations from Above Referenced Requivote: All elements, except Event No. are Required for Each Perio	ve Referenced Re leguired for Each Per	quirement od of Deviation)		
No. [Optional]	Start Date	Deviation Period Time Date	Fod	Time	# Of Devs	Cause of	Cause of Deviation		Corrective Action Taken to Remedy or Mitigate Deviation Situation	to Remedy or Situation
8 10/2	10/21/2002	N/A	11/30/2002	N/A	I The	The hours of operation for the Deepwell emergency generator were not recorded for one month.	the Deepwell emen		Resume recording monthly hours of operation, run time totals will be well within the 52 hour annual limit.	s of operation, in the 52 hour
									:	

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Attachment 3 Deviation Report

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

Page 1 of 10



RECEIVED

NOV 21 2003

TCEQ - Region 10 Beaumont

November 20, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7003 1680 0001 4939 0355

INVESTIGATION

Ms. Georgie Volz Regional Director

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2 7 7 0 0 8

Texas Commission on Environmental Quality (TCEQ), Region 10 3870 Eastex Fwy., Suite 110 Beaumont, Texas 77/703-1892

ATTACHMENT 3
PAGE 2 OF 16

RE:

Title V Federal Operating Permit Deviation Report Permit Number 0-01509, Account Number JE-0024-D

Onyx Environmental Services, L.L.C.

Hwy 73, 3.5 Miles West of Taylors Bayou, Port Arthur, TX

Dear Ms. Volz:

In accordance with 30 TAC §122.145(2), Onyx Environmental Services, L.L.C., (OES) is submitting the semiannual deviation report (Form DevRpt), the certification by the Duly Authorized Representative (Form OP-CR01) and the current TCEQ Core Data Form for the referenced permit.

Should you have any questions regarding the deviation report or need additional information, please feel free to contact Mona Rountree at (409) 736-4122 or me at (409) 736-4146.

Sincerely.

Daniel &

Daniel J. Duncan

Environmental, Health and Safety Manager

Onyx Environmental Services, L.L.C.

CC:

Art Mathes

Mona Rountree

Central Records

is (w/Attachments)

INFOL ... THEN COP.

TNRCC Core Data Form

TNRCC Use Only

SECTION I: General	Informati	on			11	MES
1. Reason for Submission	Example: ne	w wastewater permi	it; IHW regis	tration; c		
Texas Operating Per						
2. Attachments	Describe A	ny Attachments: (e	x: Title V A	plication	, Waste Transporter Арр -DEL	dication e.c.) 2
☐ Yes ⊠ No	Form Devi	Rpt, Form OP-CR	O1, and F	orm OP	-DEL	PAGE
Customer Reference Nun	nber- <i>if issue</i>	d ·	4. F	egulate	d Entity Reference Nun	nber-if issued
CN	(9 d	igits)	RI	1		(9 digits)
SECTION II: Custome	er Inform:	ation		**************************************		
5. Customer Role (Proposed			Regulated I	ntity List	ted on This Form	· · · · · · · · · · · · · · · · · · ·
Please check <u>one</u> of the follow	- 1		erator		Owner and Operator	
Occupational Licensee	- ,		Other:			
TNRCC Use Only	☐ Superfu	ınd □Ps	rT ξ		Respondent	
6. General Customer Inform	ation					
New Customer ☐ Chang #If "No Change" and	ge to Custom Section Lis	er Information complete, skip to Se	Change in	Regulat	ed Entity Ownership Entity Information.	No Change*
	Individual	Sole Propriet				Corporation
Federal Government	☐ \$tate	Government		Governm	· · · · · · · · · · · · · · · · · · ·	•
Other Government			Other_			
3. Customer Name (If an indi			t)			
Onyx Environmental		LC		_		
). Mailing Address: P.O. E	30x 2563					
						T
City	i, h			State	ZIP	ZIP + 4
		rt Arthur	, ,	TX	77643	2563
Country Mailing Information	tion If outside	e USA	11. E-Mail	Address	if applicable	
2. Telephone Number	- :	13. Extensio	n or Code	14. Fa	x Number if applicable	
(409)736-28	21				(409)738-16	36
5. Federal Tax ID (9 digits)	16. State Fr	anchise Tax ID Nur	nber if app	licable	17. DUNS Number if	
743024252			.,		7680	
8. Number of Employees				19. lr	dependently Owned a	
0-20 21-100 1	01-250 🗍	251-500 🗵 501	and highe	r	☐ YES	⊠ NO
SECTION III: Regulate	d Entity I	nformation		<u> </u>		
0. General Regulated Entity	Information				······································	
J New Regulated Entity 🔲 (Change to Re	equiated Entity Inform	nation 🗵	No Char	nge*	
IT NO Cha	ange" and Se	ction I is complete,	skip to Sect	on IV - P	reparer Information.	
1. Regulated Entity Name (li Onyx Environmental S	en individua. Pervices, LL	ı, please print last na .C	ame first)			
						

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24. E-Mail Address:	·						_	
25. Telephone Numb	per	2	26. Extension	or Code	27. Fa	x Number if ap	plicable	
(409)	735-2821					(40)	9)736-16:	36
28. Primary 29	9. Secondary SIC Code	20.5						
SIC Code (4 digits)	30. Prir	nary NAICS (5 or 6)			31. Seconda			
4953	(4 digits)		(con cargina)			(5 or 6 digits)		
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33. County: Jeffers 34. Description of Ph On Highway 73 35. Nearest City Port Acres 36. Latitude (N) Degrees 29 38. TNRCC Programs Animal Feeding Op Title V – Air Industrial & Hazard New Source Review SECTION IV: Pr 9. Name Daniel J. Dunca 1. Telephone Number	Minutes 51 s in Which This this list as neperation lous Waste liste w - Air eparer Informan	Segulated Ended. If you Wast Wate Ulcen	conds 29 Entity Participed on the known of t	Degre 94 pates Not ar are unsure Tank	de (W) es	Minute 5 ms have been mark "unknown Water Rig	I Hwy. 73 Nea 7 Issed. Ple vn." phts	rest ZIP 7640 Seconds 19

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Form OP-CRO1 Certification by Responsible Official Federal Operating Permit Program

INVESTIGATION

277008

ATTACHMENT

Title 30 Texas Administrative Code § 122.132(e) [30 TAC § 122.132(e)] (relating to "Application and RAGE Internation") Red 30 TAC § 122.165 (relating to "Certification by Responsible Official") require that a Responsible Official (RO), or appropriate designee, shall certify all documents submitted to the Texas Natural Resource Conservation Commission (TNRCC) as consideration for, or in support of, a federal operating permit (FOP), or that are required by 30 TAC Chapter 122 or by operating permit condition(s). This includes application materials, as well as, any associated federally applicable requirements, such as compliance monitoring, record keeping, testing, or reporting submittals. The certification shall state that, based upon the information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete, and must be signed by the RO, Duly Authorized Representative (DAR), Designated Representative (DR), or Alternate Designated Representative (ADR). (The DR and ADR apply to Title IV acid rain sources only. The DR or ADR shall certify application information for sites with one or more units subject to the Acid Rain Program, and shall certify application information and reports as an RO.) This Form OP-CRO1 satisfies these certification requirements in a manner consistent with 30 TAC § 122.165.

All initial permit application, permit revision, renewal, and reopening submittals requiring certification must be accompanied by this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications must be certified prior to public notice of the draft permit. Updates to general operating permit (GOP) applications must be certified prior to receiving a authorization to operate under a GOP.

I. I	DENTIFYING INFORMATION					
A. Ac	count No.: JE-0024-D	B. Permit No.: O-01	1509		C. Project No.: 1509	
D. Ar	a Name: Port Arthur Facility					
E. Cor	npany Name: Onyx Environmental S	ervices, L.L.C.				
II. C	ERTIFICATION TYPE (Place an	" X " in the appropriate	box[es])			
1	sponsible Official:				A SECTION OF THE SECT	
B. Du	y Authorized Representative:			X		
C. Des	signated Representative (Title IV acid	rain sources only):				
D. Alt	ernate Designated Representative (Ti	tle IV acid rain sources	only):			
III. SU	JBMITTAL TYPE (Place an "X" i	n the appropriate box)	(Only <u>one</u>	response car	n be accepted per form)	
	SOP/TOP Initial Permit Application				ision/Renewal/Reopening	
	GOP Initial Permit Application!	,		Update to Permit Application*		
X	Other: Deviation Report		' '	· · · · · · · · · · · · · · · · · · ·		
IV. C	ERTIFICATION OF TRUTH, ACC	CURACY, AND COM	PLETEN	ESS		
					as information for reference only.	
I, <u>A</u> .	F. Mathes Name printed or typed)	, certify that I	am the _		and that, based on information	
and be	elief formed after reasonable inquiry, ate, and complete: 11-20-2003	the statements and infor	rmation da	ated the follow	wing, or herein attached, are true,	
,	Date 1* Date 2* 2-8 should only be completed if the property updates that are, as yet, uncertified. blic notice certification.	Date 3* Date 4* box for "Update to Per If this is an "Update to	Date 5 rmit Appli Permit Ap	a=ti==" := -	* Date 7* Date 8* arked above, and this form is being used to must be submitted before, or at the time of,	
Signatur	e: 427/	alher	Ø.	Signa	ature Date: Nov. 20/03	
Title:	General	Man	age	92.	,	
RCC-10	009 (Rev. 10-15-08)					

OP-CRO1 Forms - These forms are for use by sources subject to the

Form DevRpt, rev 980831

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N/A	ID Number (Rq'd if Applicatio) nit ID Group ID		Began on April 21, 2003		On On
HW-50212-001 Attachment E	Permit Po Provision No. (Rg'ar (Rg'a' ir Applicable)		ril 21, 2003	Fort Arthur Facility	Onyx Environmental Services, L.LC.
HCL	Pollutant Regulatory (Rg a 11 Applicable) Requirement (Classica Rold it Applicable)	Operating Permit	And E		l Services, L.LC
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STANDARD	Type of Requirement. (Requirement)	hich Deviations ar	October 21,		
N/A	SOP of GOP Index Number (Set Instruction)	e Being Reported	2003		
N/A	Monitoring Réques Applic (Rq'd as Applic Citation		Report Submittal Date November 20,	Operating Penguit No.	AccountiNo
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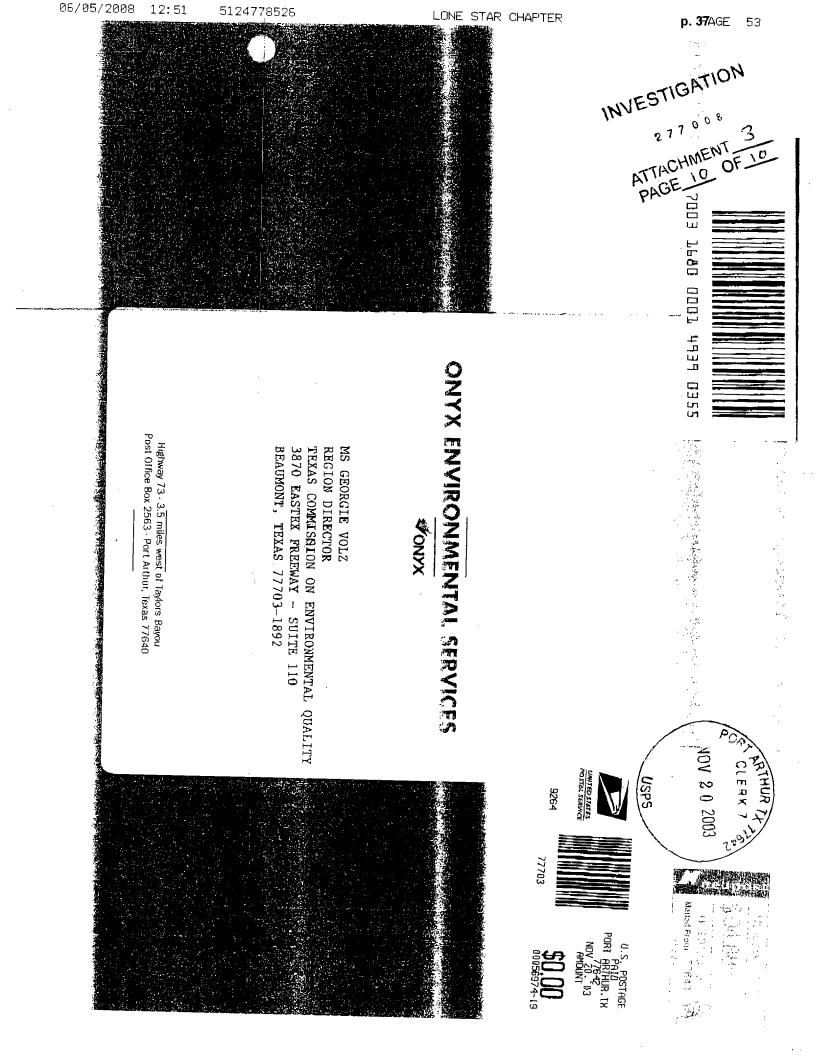
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3:13 am	-2:58 am	2:50 am	
 -	Pro-	1	Detai Note: All Of Devs
Drum ignited while being processed in shear shredder. Resulting fire caused emission release.	Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	Details of Deviations from Above Referenced Requirement Note: All elements, except Event No. are Required for Each Period of Deivation) ## Canse of Devation Devs ## Canse of Deviation Devs
Activated fire suppression system, extinguished fire and moved waste into kiln.	All waste feeds to kiln and secondary combustion chamber were automatically cut-off at onset of power failure. Kiln totation speed was reduced to reduce emissions.	All waste feeds to kiln and secondary combustion chamber were automatically cut-off at onset of power failure. Kiln rotation speed was reduced to reduce emissions.	on) Corrective Action Taken to Remedy or Mitigate Deviation Situation

Campi		PM N/A	HW-50212-001	Z/A	incinerate
	RGO.	(Cria tion Raigh III.) Applicable)	Applicable)	Group ID	Unit ID
Maniforing Requirements (Rq'd's Applicable)	SOF or GOP SOF or GOP Software Softw		Permit Pollitant Provision No. (Raid it Applicable)	nber olkable)	il) Number (Bq'd it Applicable)
	Which Deviations are Being Reported	Operating Permit Requirement for Which Deviations a	Operat		
Report Submittal Date November 20,	October 21, 2003	And Knited on Manager	ril 21, 2003	egaq on Ap	Report Perior Began on April 21, 2003
Operating Fermit No.			Port Arthur Facility	D PA	Area Name
Accommt W.		es, L.LC.	Dayx Environmental Services, L.LC.		Company And
	it Deviation Report Form	Texas Operating Permit Deviation R	Te	VEN	171
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3:08 ап	1:52 am	1:50 am	Деумин Типе
10/10/2003	07/08/2003	05/26/2003	Deviation Period Time Date I
3:13 am	2:58 am	2:50 am	
-			Detai
Drum ignited while being processed in shear shredder. Resulting fire caused emission release.	Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	Details of Deviations from Above Referenced Requirement (Note: All elements, except Event No. are Required for Each Period of Delvation) # Lause of Devation Dev5 Dev5
Activated fire suppression system, extinguished fire and moved waste into kiln.	All waste feeds to kiln and secondary combustion chamber were automatically cut-off at onset of power failure. Kiln rotation speed was reduced to reduce emissions.	All waste feeds to kiln and secondary combustion chamber were automatically cut-off at onset of power failure. Kiln rotation speed was reduced to reduce emissions.	Corrective Action Taken to Remedy or Mingate Deviation Situation

	11 10/10/2000; 3:08 am 10/10/2000; 3:13 am 1 shredder. Resulting fire caused emission release. Fire and moved waste into kiln	10 09/18/2003 7:23 am 09/18/2003 7:58 am 1 Drum of waste had excessive BTU content All waste feed was cut off a causing the oxygen to become depleted. instantaneous value of CO	No. Start End Deviation Period # Cause of Devaition Corrective Active Active Active Active Active Deviation Deviation Deviation Date Time Date Time	Details of Deviations from Above Referenced Requirement (Note: All elements, except Event No. are Required for Each Period of Dejvation)	INCINSTK N/A HW-50212-001 CO N/A STANDARD N/A III.H.3.e.	he) Provision No. (Eq. d if) Requirement Requirement Number Number (Circula Rejula Regula (Ra)d) (See Instructions) Applicable) (Circula Rejula (Ra)d) (See Instructions) Applicable) (Applicable) (Circula Rejula (Ra)d) (See Instructions)	hich Deviations are Being Reported	Report Perfor Began on 04/21/2003 And Ended on 19 10/21/2003 Report S	Area National Dort Arthur Facility	Compact Names Onyx Environmental Services, L.L.C. Account No.	て で
	Activated fire suppression system, extinquished fire and moved waste into kiln.	is cut off at 100 ppm lue of CO.	Corrective Action Taken to Remedy or Mitigate Deviation Situation		Cantinuous	Monitoring Requirements (Rq'd as Applicable) Citation Prequency		Report Submittal Date 11/20/2003	Operating Permit No O-01509	No. JE-0024-D	

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HW-50212-001	(Rq'd II)	ID Number Permit Pollutant		an on April 21, 2003	Arthur Facility	/x Environmenta	
\$02		Pollutant ()	perating Permi	And Edited of		dyx Environmental Services, L.LC.	Texas Op
N/A	(Citation Road if	Permit Pollutant Regulatory	Operating Permit Requirement for Which Deviations are Being Reported	ALE COLUMN TO THE REAL PROPERTY.			Texas Operating Permit Deviation Report Form
STANDARD	(E)	Requirement	hich Deviations ar	October 21, 2003		in plant of the control of the contr	Deviation Re
N/A	(See Instructions)	SOP or GOP	e Being Reported	2003			port Form
Affachment E	(See its (protions) Citation	SOP of COP Monitoring Requirements (Raid at Applicable)		Report Submittal Date: November 20,	Operating Permitty of	Account No.	
Confinuous	Prequency	ilrements		November 20, 2003	O-01509	ЈЕ-0024-D	





Attachment **Deviation Report**

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

RECEIVED MAY 2 1 2004 TCEQ - region 10 Beaumont

May 20, 2004

CERTIFIED MAIL RETURN RECEIPT REQUESTED 7003 1680 0001 4939 1994 INVESTIGATION

Ms. Georgie Volz Regional Director

277008

Texas Commission on Environmental Quality (TCEQ), Region 10 3870 Eastex Fwy., Suite 110

ATTACHMENT 4 PAGE 2 OF 10

Beaumont, Texas 77703-1892

Title V Federal Operating Permit Deviation Report RE: Permit Number 0-01509, Air Account Number JE-0024-D

Onyx Environmental Services, L.L.C.

Hwy 73, 3.5 Miles West of Taylors Bayou, Port Arthur, TX

Dear Ms. Volz:

In accordance with 30 TAC §122.145(2), Onyx Environmental Services, L.L.C., (OES) is submitting the semiannual deviation report (Form DevRpt), the certification by the Duly Authorized Representative (Form OP-CR01) and the current TCEQ Core Data Form for the referenced permit.

Should you have any questions regarding the deviation report or need additional information, please feel free to contact Mona Rountree at (409) 736-4122 or me at (409) 736-4146.

Sincerely,

Daniel J. Duncan

Environmental, Health and Safety Manager

Onyx Environmental Services, L.L.C.

CC:

Art Mathes

Mona Rountree

Central Records

(w/Attachments)

TNRCC Use Only

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TNRCC Core Data F	1/11/11

SECTION I: General Inf	i	C Core	e Data	a Fori	n	mation: etc.) 8	
1. Reason for Submission Ex		ewater permit: I	HW registre	tion: change	In customer info	rmetion: etc.). \$	
Texas Operating Permit	Deviation Re	port			3331311121 7773	277	
2. Attachments De	escribe Any Atta orm DevRpt an	chments: (ex:	Title V Appli	cation, Wast	e Transporter Ap	plication NAE.	
⊠ Yes □ No Fo	orm DevRpt an	d Form OP-C	RO1	,	Þ	TAU 3	
3. Customer Reference Number	r if issued		A Pec	ulated Entit	y Reference Nu	mbor if issued	
CN600130835	(9 digits))2599719	A LAIR ALL CALLAD		
	(3 0/9/15)		KNIC			(9 diglts)	
SECTION II: Customer	Information						
5. Customer Role (Rroposed or	Actual) As It R	elates to the Re	gulated Ent	ty Listed on	This Form		
Please check <u>one</u> of the followin	- i	•	ator] Other:	○ Owne	r and Operator		
] Superfund		-	. □ Respo	ondent:		
3. General Customer Informati New Customer Change *if "No Change" and S	o Customer Info					⊠ No Change*	
7. Type of Customer:	ndlvidual 🔲 🗎 State Gover		ship - D.B.A.] County Go] Other	vernment	•	Corporation Government	
8. Customer Name (If an individ	lual, please print	last name first)					
9. Malling Address:				 -			
City			Sta	ite	ZIP	ZIP + 4	
10. Country Mailing Information if outside USA 11. E-Mall Address if applicable							
2, Telephone Number		13. Extension	or Code	14. Fax Nur	nber if applicabl		
()			}		() -		
15. Federal Tax ID (9 digits) 16. State Franchise Tax ID Number if applicable 17. DUNS Number if applicable (9 digits)							
. Number of Employees 19. Independently Owned and Operated?							
□ 0 -2 0 □ 21-100 □ 10	1-250 🔲 251-	500 🔲 501 a	nd higher		☐ YES	□ NO	
SECTION III: Regulated	Entity Infor	mation					
20. General Regulated Entity In New Regulated Entity	formation	ed Entity Informa	ation 🛭 N	o Change*	or information	,	
21. Regulated Entity Name (If a	- C			iv-riepar	er mornation,	·	

22. Street Addres:	s:							
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	City				State		INVE	ESTIGATION
23. Mailing					-			277008
Address							ATTA	CHMENT 4
	City				State		ZIP PAG	E 4 20 F 40
24. E-Mail Addres	s :							
25. Telephone Nu	mber		26. Extensi	on or Code	27. 1	Fax Numbe	er if applicable	9
() - i						() ~	
28. Primary SIC Code (4 digits)	29. Secondary SIC Code (4 digits)	30. Pi	rimary NAICS (5 or	6 Code 6 digits)		31. Sec	ondary NAIC	CS Code 6 digits)
32. What is the Pr	imary Business of t	his entity	/? (Please do	not repeat i	the SIC	or NAICS	description.)	
Quest	ions 33 - 37 addres	s geogra	phic location	. Please re	fer to t	he instruc	tions for app	licability.
33. County:								
34. Description of	Physical Location							
35. Nearest City						State	N	learest ZIP
36. Latitude (N)				37. Longit	tude (V	/)	<u></u>	
Degrees	Minutes	5	Seconds	Deg	rees		Minutes	Seconds
38. TNRCC Progra	ams In Which This F this list as ne	Regulater eded. If yo	l Entity Parti ou don't know	cipates Not or are unsu	all prog ire, plea	grams have ase mark "u	been listed. inknown."	Please add to
☐ Animal Feeding	☐ Petroleum Storage Tank			☐ Water Rights				
☐ Title V – Air ☐ Wastewater Pern			mit					
☐ Industrial & Haz	rdous Waste							
Municipal Solid					□ Unknown			
☐ New Source Re	view - Air	Lic	ensing - TYP	E(s)		====	=======	
SECTION IV:	Preparer Inform	nation						
39. Name Daniel J. Dui	ncan					40. Til En		Safety Manager
41. Telephone Nui (48	mber 09)736-4146		42, Extension	on or Code	43. F	ax Numbe	or if applicable (409)736-	
44. F.Mail Address	e. dduncan@onyy	AS COM						

Form OP-CRO1 Certification by Responsible Official Federal Operating Permit Program

INVESTIGATION

277008

Title 30 Texas Administrative Code § 122.132(e) [30 TAC § 122.132(e)] (relating to "Application and Reprint Hinterial") 30 TAC § 122.165 (relating to "Certification by Responsible Official") require that a Responsible Official (RO), or apprepriate designee, shall certify all documents submitted to the Texas Natural Resource Conservation Commission (TNRCC) as consideration for, or in support of, a federal operating permit (FOP), or that are required by 30 TAC Chapter 122 or by operating permit condition(s). This includes application materials, as well as, any associated federally applicable requirements, such as compliance monitoring, record keeping, testing, or reporting submittals. The certification shall state that, based upon the information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete, and must be signed by the RO, Duly Authorized Representative (DAR), Designated Representative (DR), or Alternate Designated Representative (ADR). (The DR and ADR apply to Title IV acid rain sources only. The DR or ADR shall certify application information for sites with one or more units subject to the Acid Rain Program, and shall certify application information and reports as an RO.) This Form OP-CRO1 satisfies these dertification requirements in a manner consistent with 30 TAC § 122.165.

All initial permit application, permit revision, renewal, and reopening submittals requiring certification must be accompanied by this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications must be certified prior to public notice of the draft permit. Updates to general operating permit (GOP) applications must be certified prior to receiving a authorization to operate under

T T	DENTIFY IN VALOR		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	ig a authorization to operate under a GOP.		
	DENTIFYING INFORMATION					
<u> </u>	count No.: JE-0024-D	B. Permit No.: O-01509		C. Project No.: 1509		
D. Ar	ea Name: Onyx Environmental Service	ces, L.L.C.				
E. Co	mpany Name: Onyx Environmental S	ervices, L.L.C.				
II. C	ERTIFICATION TYPE (Place an	"X" in the appropriate box[es])				
	sponsible Official:					
B. Du	y Authorized Representative:		X			
C. Des	signated Representative (Title IV acid	l rain sources only):				
D. Alt	ernate Designated Representative (\mathcal{T}	tle IV acid rain sources only);				
III. SI	JBMITTAL TYPE (Place an "X" i	n the appropriate box) (Only on	e response can	be accepted per form)		
SOP/TOP Initial Permit Application Permit Revision/Renewal/Reopening						
	GOP Initial Permit Application Update to Permit Application*					
X Other: Deviation Report						
IV. C	ERTIFICATION OF TRUTH, AC	CURACY, AND COMPLETEN	VESS			
	certification does not extend to info			as information for		
I, <u>A</u> .	F. Mathes Name printed or typed)	, certify that I am the _		and that, based on information		
and belief formed after reasonable inquiry, the statements and information dated the following, or herein attached, are true, accurate, and complete:						
	Date I* Date 2*	Date 3* Date 4* Date 5	5* Date 6*	Date 7* Date 8*		
	2-8 should only be completed if the updates that are, as yet, uncertified. blic notice certification.	box for "Update to Permit Appl If this is an "Update to Permit A	ication" is mapplication," it	rked above, and this form is being used to must be submitted before, or at the time of,		
Signatur	e: 477	ather	Signa	ture Date: <u>May 19/04</u>		
Title:	gene	ralMan	A ge			
VRCCato	300 (Pay 10 15 09)					

OP-CRO1 Forms - These forms are for use by sources subject to the

Federal Operating Permit Program and are subject to revision. [AOPDG95A/760-v16]

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	JE-0024-D	O-01509	May 20, 2004		irements	Frequency	Continuous
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eport Form			. 04	re Being Reported	SOP or GOP	(Rg d)	N/A
Deviation Re			April 21, 2004	hich Deviations a	* Type of Requirement	(Rq'd)	Standard
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Texas Op	I Services, L.L.C	Services, L.L.C.	And	Derating Permi	Pollutant Rg'd if Applicable)		00
	Company Name (Onyx Environmental Services, L.L.C.	Onyx Environmental Services, L.I	tober 21, 2003		Provision No.	(RQ'd If	HW-50212-001 ATT.E
A Second Control of the Control of t	O	0 W	gan on Oc		lber Aicablé)	Group ID	N/A
200年第二年の高級を開発しているのです。	Company, Name	Area Name	Report Period Began on S. October 21, 2003		ID Number (Rq'd if Applicable)	Unit ID Group ID	Incinerate

(ou)	Gorrective Action Taken to Remedy or Mitigate Deviation Situation	All waste feed was automatically cut off until CO emissions returned to permissive levels.	No waste was being fed during this time and the incinerator was heated up as expeditiously as possible to limit CO emissions.	INVEST 277 ATTACHE PAGE	G O NEN	TIC # T DF_	7 2
Details of Deviations from Above Referenced Requirement (Note: All elements, except Event No. are Required for Each Period of Deviation)	# consequence of Deviation Consequence of Consequen	A drum of waste had excessive BTU content causing the oxygen to become depleted.	The incinerator was being started up in a controlled heat up. Large amounts of excess aur are required to maintain low temperatures. This results in high CO. The average value of CO was 17.9 lbs/hr.				
Detai	Devs	-					
	End	13:09 pt	13:57 pm		,		
	o Perid	11/15/2003 12:12 pm 11/15/2003 13:09 pm	12/29/2003 [13:47 pm 12/29/2003 13:57 pm				
	Deviation to Time	12:12 pm	[3:47 pm				
		11/15/2003	12/29/2003				
	Event No. (Optional)						

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	03/10/2004 05:50am 03/10/2004 06:31am	05.50am	03/10/200	1 06.3 гаш.	-	Friable ash and slag fell from the top to the bottom of the quench vessel causing the recirculating pumps to shut down which caused the temperatures to increase. The increased temperatures triggered the automatic opening of the Thermal Relief Vent (TRV).	sustion e kiln ng and
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		April 21, 2004	Vhich Deviations at Type of Requirement (Requirement	STANDARD
,		Ended on some	Operating Permit Requirement for Which Deviations are Being Reported Permit *Pollutant* = Regulatory	N/A
Company Names Company Names Conviction Environmental Services, L.L.C.	٨	And E	Operating Permi Permit Pollutant: Provision No. (Rq41/Applicable) (Rq41/	S02
nyx Environment	Port Artbur Facility	ctober 21, 2003	1. 10. 10. 10.	HW-50212-001
0		дап оп О	her (Group ID	N/A
Company Name.	Area Name	Report Period Began on October 21, 2003	ID Number (Rq'd if Applicable) Unit ID Group ID	Incinerate

					_
(10)	Corrective Action Taken to Remedy or Mitigate Deviation Situation	All waste feeds to the kiln and secondary combustion chamber were automatically cut-off at the onset of power failure. Kiln rotation speed was decreased to reduce emissions.	All waste feeds to the kiln and secondary combustion chamber (SCC) were automatically cutoff. The kiln totation speed was decreased to minimize mixing and reduce emissions.	INVEST 27 ATTACK PAGE	7 0 0 8
Details of Deviations from Above Referenced Requirement (Note: All elements, except Event No. are Required for Each Period of Devivious)	Corrective Course of Devation (1)	Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	Friable ash and slag fell from the top to the bottom of the quench vessel causing the recirculating pumps to shut down which caused the temperatures to increase. The increased temperatures triggered the automatic opening of the Thermal Relief Vent (TRV).		
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	n Perio Dat	12/12/2003 20:32pm 12/12/2003 21:22pm	03/10/2004 05:50am 03/10/2004		
	Deviation Start Care	20:32pm	05.50am		7
	Sta	12/12/2003	03/10/2004		Form DevRpt , rev 980831
	Event No. (Optional)				Form Dev

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	JE-0024-D	O-01509	May 20, 2004		uirements cable)	Frequency	N/A	W/NI
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eport Form	•		. 904	re Being Reported	SOP or GOP	# Activition Rg d (1887)	N/A	
: Deviation R		The state of the s	April 21, 2004	/hich Deviations a	Reguirement	A (Rq.7d)	STANDARD	
Operating Permit Deviation Report Form	5	在 N E	d Ended on Medical	Operating Permit Requirement for Which Deviations are Being Reported	The same of the same of	March Andrew	N/A	
Lexas Op	al Services, L.L.C.	l desires	And 1	Operating Permi	Rg'd if Applicable)		HCL	
	Onyx Environmental Services, L.	Area Name Per Port Arthur Facility	Report Period Began on October 21, 2003		(Rq'd'i Appheable) Provision No (Rq'd i Appheable)	Applicable	HW-50212-001	Attachment E
Control of the Contro	0	Frank Po	Ведан оп Ос		ppicable)		N/A	
P. C. S. C.	Company Namet	Area Namewa Fres	Report Period		(Rg'd if A	AND THE PROPERTY OF THE PROPER	Incinerate	
						:		_

					Details	ils of Deviations from Above Referenced Requirement	
Event No. (Optional)	Date	Deviatio	on Period E Date	Deviation Period # Of # Of End End Every Devs Time Date: Elime Devs	Of Devs	Cause of Devation	Corrective Action Taken to Remetly or Mitigate Deviation Situation
	12/12/2003	20:32pm	12/12/2003 20:32pm 12/12/2003 21:22pm	3 21:22pm		Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of the thermal relief vent (TRV).	All waste feeds to the kiln and secondary combustion chamber were automatically cut-off at the onset of power failure. Kiln rotation speed was decreased to reduce emissions.
	3/10/2004	05:50am	3/10/2004 05:50am 3/10/2004 06:31am	06:31am		Friable ash and slag fell from the top to the bottom of the quench vessel causing the recirculating pumps to shut down, which caused the temperatures to increase. Tot The increased temperatures triggered the automatic recopening of the Thermal Relief Vent (TRV).	All waste feeds to the kiln and secondary combustion chamber (SCC) were automatically cutoff. The kiln rotation speed was decreased to minimize mixing and reduce emissions.
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							STIGATION OF TACHMENT AGE 9

Form DevRpt, rev 980831



Attachment 5 Attachment E of Permit 50212

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

Permit No. 57-50212-001
Actachment E
Sheet 1 of 4

INVESTIGATION

277006

ATTACHMENT S PAGE 2 OF 5

ATTACHHENT E

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

06/05/2008 12:51

INVESTIGATION

Permit No. HW-50212-001 Attachment ____ Sheet 2

27700B

ATTACHMENT 5 PAGE 3 OF 5

ATTACEMENT E

Emission Sources - Maximum Allowable Emission Rates

This table lists all sources of air contaminants emitted by the facility on applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

EMISSION		AIR CONTAMINANT	S DATA_	
POINT NO.	5	AIR CONTAMINANT	EMISSION	N RATES=
(1)	NAME (2)	NAME	// HIR	TPY
A	Access Roads (8)	PM (6)		1.16
B	Truck and Container	VOC (3)	Negligit	ale
•	Storage Area (8)	PM (5)	Negligit	
C	Incinerator Stack	VOC (3)	2.0	8.8
	:	NOx (4)(***)	70.4	210.0
		S0x (5)	49.9	219.0
		PM (6)	9.0	39.4
		CQ (7)	17.2	75.3
		Hydrogen Chloride	3.21	14.06
	•	Chlorine	1.1	3.0
		PCB (9)	0.003	0.01
		Lead	1.0	4.38
r		Cadmium	0.26	1.14
		Vanadium	0.26	1.14
		Mercury	0.26	1.14
•	~	Arsenic	0.05	0.22
		Beryllium	0.0009	0.0039
		Chromium	0.13	0.57
		Nickel	0.10	0.44
		Vinyl Chloride	0.32	1.4
	•	Hydrogen Fluoride	3.0	13.14
	•	Total Chlorinated	۵.0	13.14
	•		10 0	5 . 10 5
		Total Chlorinated	8-01 ×	2×10^{-7}
			15 6	2 10 6
•		· · - · · - · · · · · · · · · · · ·	x 10-6	2×10^{-5}
		Acrylamide	0.09	0.394
		Chloromethylmethylether	0.066	0.289
		1,2-dibromo-3-	0 007-	
		chloropropane	0.0079	0.035
	•	sym-dichloromethylether	0.0079	0.035
	:	Dicrocophos	0.133	0.583
		Dimethyl carbamoyl		-
		chloride	0.066	0.289

INVESTIGATION

Permit No. <u>Hw-50212-601</u>
Actachment <u>E</u>
Sheet 3 of 4

277008

ATTACHMENT 5

PAGE 4 OF 5 EHISSION AIR CONTAMINANTS DATA AIR CONTAMINANT EMISSION RATES* POINT NO. SOURCE NAHE (2) // HUR (1) NAHE Diphenylmathane diisocyanate 0.1330.583 Isopropyl mercaptan 0.024 0.104 Isophorone Diisocyanate 0.133 0.583 N-nitrosodiethanolamine 0.013 0.057 N-nitrosodiethylamina 0.013 0.057 Phosphine 0.166 0.727 D Truck Wash Building PM (6) Neglible and Tanks Fan Vent E Absorber Cooling VOC (3) 0.031 0.133 · Tower Stacks F Scrubber Sludge VOC (3) 0.01 0.04 Clarifier Vent G Ash Hopper PM (6) 0.0012 0.005 Unloading Bldg (8) H VOC (3) Ash Container Neglible Storage Area (8) PM (6) Neglible I Auxiliary Tank VOC (3) 0.017 0.013 Emission Control Hydrogen Sulfide 0.03 0.023 System (**) J Incinerator Area VOC (3) C.38 1.66 Fugitives (8) Boiler (1 of 2) VOC (3) 0.02 0.09 N0x(4)1.97 8.63 S0x(5)3.18 13.9 PM (6) 81.0 0.79 CO (7) 0.45 1.97 Boiler (2 of 2) VOC (3) 0.02 0.09 NOx (4) 1.97 8.63 S0x(5)3.18 13.9 PH (6) 0.18 0.79 CO (7) 0.45 1,97

5124778526 06/05/2008 12:51

INVESTIGATION

recmit No. 177-30212-001 Actachment Sheer __4

277008

ATTACHMENT S PAGE 5 OF S

EHISSION POINT NO.

(1)

SOURCE NAME (2)

AIR CONTAMINANTS DATA AIR CONTAMINANT NAME

EMISSION RATES* 11/HR

Huriatic Acid

Hydrogen Chloride

0.009

0.04

Tank Vent (T-531)

Container Storage Building (8)

VOC (3)

Negligible Negligible

- (1) Emission point identification either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name.
- (3) VOC = volatile organic compounds as defined in General Rule 101.1 but including methyl chloroform and Freon 113.
- (4) NOX = total oxides of nitrogen. (5) SOx = total oxides of sulfur.
- (6) PM = particulate matter. (7) CO = carbon monoxide.
- (8) Fugitive emissions are an estimate only and should not be considered as a maximum allowable emission rate.
- (9) PCB = polychlorinated biphenyls.
- Emission rates are based on a 8760 hr/year operating schedule.

 ** Emission rates are based on a 1560 hr/year operating schedule.
- *** Annual emission rates are based on the total mass feed to the incinerator.



Attachment 6 Keith Sheedy E-mail

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719

Investigation Number 277008

Investigation Date - July 16, 2004



"Kelth Sheedy" <KSHEEDY@thrcc.state.tx.us> on 03/23/2001 08:53:20WESTIGATION

277008

Dan Duncan/OnyxES@Onyx Tà: CC

5124778526

"Jeff Greif" < JGREIF@tnrcc.state.tx.us>, "Troy Dalton" < TDALTON@tnrcc.state.tx.us>ATTACHMENT

Fax to.

Subject: Re: PM10

PAGE 2 OF

Dan, when the U/M rules were changed back in 1997 (which is when the Rd system was adopted along with the new reporting/recordkeeping requirements concerning compound descriptive type of the individually listed compounds or mixture of air contaminants), there was a response to comments, which I think addresses your question. The agency stated: "The term "compound descriptive" is used to ensure that overly simple type descriptions like VOC and PM are not used since they do not address the true chemical nature of the release. In another comment the agency stated: "The agency considered use of additional generic categories such as particulate matter, volotile organic compounds; alkanes; and alkenes. These categories are not included in the adoption to ensure that the agency will receive appropriate information on the chemical characteristics of the release. Particulate matter, volutile organic compounds, and alkana groups can include significantly hazardous constituents listed in CERCLA, EPCRA, and agency parmits."

When you have a PN release, speciation of the release is required. If the release is when you have a fit further speciation of the release is required. It the release is composed of a single compound you should use the lowest Re listed in \$100.0(62)(A)(i). If the release is a mixture of compounds, you will need to determine the exact chemical characteristics of the release, if the percentages of each compound making up the PM release are known, you can use \$100.0(62)(B)(i). If the amounts of each compound making up the PM release is not known, then you should use \$100.1(A2)(B)(ii). If you have reviewed the chemical characteristics of the release, and name of the individual compounds satisfy us the BM nelease, and literal compounds are the compounds. individual compounds making up the PM release are listed compounds par \$103.1(A2)(A)(i), then you can use the 100 pound default provided in \$101.1(BE)(A)(ii).

Please don't forget that there can be more than one Re which is applicable to a release. Since the release could also have an opacity limit [i.e., 5111.111(e)(1)] you will need to determine if the opacity Ro has been exceeded [5101.1(62)(C)].

I hope this helps to answer your question. If you have any additional questions, don't hesitate to contact me either at the email address above, or by phone at (512) P39~1.55L.

Keith Sheedy Engineering Services Team

>>> "Dan Duncan" <dduncanbonyxes.com> D3/22/D1 10:3LAM >>>

I attended TARCC's Upset/Maintenance Emissions workshop in Beaumont, TX on March 1. The information presented by the TNRCC was very thorough and well organized, and greatly improved my understanding of these regulations. That said, I do have one question: what is the RV for PM(subscript; 10)? I have been using 100 pounds based on 30 tac 101.1(A)(i) which states "if not listed in clause (i) of this subparagraph; 100 pounds", however paragraph (A) applies to "individual air conteminant compounds". which doesn't seem to include particulate emissions since they can be comprised of many different compounds. Paragraph (B) addresses mixtures of air contominant compounds, but doesn't readily yield a number since the exact composition of the particulate is uncertain and may vary in concentration. Should perticulates apply only to opacity considerations in paragraph (c)? Thanks, Dan.



Attachment 7 Reportable Emission Event

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

Reportable Event/Activity Notification/Reporting Form

| X | Final | Agency Use | Incident # | Only Submittal Initial Type Notification Name of Owner or Operator Physical Location (how to get to location of release; may also Hwy 73, 3.5 Miles W of Taylor Bayou, Port Arthur, Texas include site name) Process Unit or Area Common Name Incinerator **Facility Common Name Emission Point Common Name** TRV TRV (where air contaminants were generated) (where emissions were released to air) Facility Identification Number (FIN) Emission Point Number (EPN) INCINERATE TRV This Event **Emissions** Sch Sch. Sch. Shutdown Excess Opacity Activity Event Maintenance Startup Event Type Date / Time Event 05 26 03 01 50 00 60 Discovered or (Indicate Event Duration one) Scheduled Activity Start mm dd УУ hh mm (e.g., 9/12/02 @ 13:21) hh mm sec (hh:mm:sec) List of Compound Descriptive Type(s) of Individually **Estimated Total** Units Authorized Units Authorization (rule Listed or Mixtures of Air Contaminant Compounds Quantity for Air Emissions Limit / Released, Including opacity or permit #) (See the notification and Contaminants for Opacity Limit reporting requirements under 30 TAC §§ 101.201 and 101.211 Emissions/ Opacity for detailed information related to how to report compounds and Value for Opacity opacity. See also 30 TAC §101.1(84)). Use attachments if necessary to report additional contaminants. HCL 247.1 Lbs 3.21 lbs/hr | HW-50212-001 PM 820 Lbs 9.0 lbs/hr HW-50212-001 SO₂ 51 49.9 Lbs HW-50212-001 lbs/hr NO. 13.2 Lbs 70.4 lbs/hr HW-50212-001 Cause of Emissions Event or Excess Opacity Event, or Reason for Scheduled Activity: Power delivery failure from Entergy caused cessation of induced draft fan, then automatic opening of thermal relief vent (TRV). Actions Taken, or Being Taken, to Minimize Emissions and/or Correct the Situation: All waste feeds to klin and secondary combustion chember were eutometically cut-off at onset of power failure. Klin rotation speed was reduced to reduce Basis Used to Determine Quantities and Any Additional Information Necessary to Evaluate the Event: March 20, 2000 Test Burn and associated emission and feed rates. Person Making Notification/ Date and Time Dan Duncan/5-26-03@1:50 p.m. Phone 409-736-4146 cident Contact Person Daniel J Duncan Phone/ E-mail dduncan@onyxes.com Jurisdiction(s) Notified *Recordable only, No RQ released



Attachment 8 Reportable Emission Event

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

Texas Commission on Environmental Quality Reportable Event/Activity Notification/Reporting Form

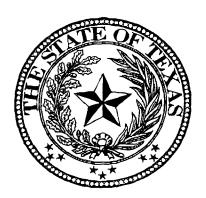
Submittal Initial Final Agency Use Incident # Investigation # Type Notification Report 03-09 Only ∃ Name of Owner or Operator Onyx Environmental Services, Inc. RN/ Air Acct # JE-0024-D Physical Location (how to get to location of release; may also Hwy 73, 3.5 miles west of Taylor Bayou, Port Arthur, Tx include site name) Process Unit or Area Common Name Incinerator **Facility Common Name** Incinerator **Emission Point Common Name** (where air contaminants were generated) Thermal Relief (where emissions were released to air) Stack Facility Identification Number (FIN) Incineratore Emission Point Number (EPN) TRV This Event/ Emissions Sch. Sch. Sch. Shutdown Excess Opacity Activity Event Maintenance Startup Event Type Date / Time Event 07 08 03 01 52 (Indicate Discovered or 6 Event Duration Scheduled Activity Start one) @ mm dd уу hh mm (e.g., 9/12/02 @ 13:21) hh mm sec (hh:mm:sec) List of Compound Descriptive Type(s) of Individually Estimated Total Units Authorized Units Authorization (rule Listed or Mixtures of Air Contaminant Compounds Quantity for Air Emissions Limit / Released, including opacity (See the notification and or permit #) Contaminants for Opacity Limit reporting requirements under 30 TAC §§ 101.201 and 101.211 Emissions/ Opacity for detailed information related to how to report compounds and Value for Opacity opacity. See also 30 TAC §101.1(84)). Use attachments if necessary to report additional contaminants. $ho_{f M}$ 1,914 lbs 9.0 lbs/hr | HW-50212-001 NOx14.5 lbs 70.4 lbs/hr HW-50212-001 HCL 73.7 lbs. 3.21 lbs/hr HW-50212-001 SO_2 30.6 1bs 49.9 lbs/hr HW-50212-001 Cause of Emissions Event or Excess Opacity Event, or Reason for Scheduled Activity: Power delivery failure from Entergy caused cessation of induced dreft fan, then automatic opening of thermal relief vent (TRV)

Actions Taken, or Being Taken, to Minimize Emissions and/or Correct the Situation:

All waste feeds to kiln and secondary combustion chamber were automatically cut-off at onset of power failure. Kiln rotation speed was decreased to reduce

Basis Used to Determine Quantities and Any Additional Information Necessary to Evaluate the Event;

Person Making Notification/ Date and Time	Recordable Only	Phone	(409) 736-4146
neident Contact Person	Daniel J. Duncan	Phone/ E-mall	
_urisdiction(s) Notified	N/A	1	dduncan@onyxes.com
			+



Attachment 9 Reportable Emission Event

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

p. 640_{AGE} 06/05/2008 12:51 5124778526 LONE STAR CHAPTER Texas Commission on Environmental Quality INVESTIGATION ortable Event/Activity Notification/Reporting Reportable Event/Activity Notification/Reporting Form Submittal Initiai Final Agency Use Incident # Investigation # Notification Type Report Only = Name of Owner or Operator RN/ Air Acct # Physical Location (how to get to location of release; may also 35 Miles WOFTaylor include site name) Process Unit or Area Common Name Fred System - B. 14 **Facility Common Name** Emission Point Common Name (where air contaminants were generated) (where emissions were released to air) Facility Identification Number (FIN) Emission Point Number (EPN) This Event/ **Emissions** Sch. Sch. Sch. Shutdown **Excess Opacity** Activity Event Maintenance Startup Event Type Date / Time Event Discovered or (Indicate **Event Duration** C 5 ccQ3 Scheduled Activity Start one) . hh mm шÚ sec. (e.g., 9/12/02 @ 13:21) (hh:mm:sec) List of Compound Descriptive Type(s) of Individually **Estimated Total** Units Authorized Units Authorization (rule Listed or Mixtures of Air Contaminant Compounds Released, Including opacity (See the notification and Quantity for Air Emissions Limit / or permit #) Contaminants for Opacity Limit reporting requirements under 30 TAC §§ 101.201 and 101.211 Emissions/ Opacity for detailed information related to how to report compounds and Value for Opacity opecity. See also 30 TAC §101.1(84)). Use attachments If necessary to report additional contaminants Applicable 135 LBS rutter 300 Cause of Emissions Event or Excess Opacity Event, or Reason for Scheduled Activity: were the design in the experience of the contraction Actions Taken, or Being Taken, to Minimize Emissions and/or Correct the Situation:

Heternada fire authorizing statem by Line former more with self

Basis Used to Determine Quantities and Any Additional Information Necessary to Evaluate the Event:

Person Making Notification/ Date and Time Phone Russialus 14 Co Incident Contact Person Phone/ E-mail Daniel 409-736-4146 urisdiction(s) Notifled

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	.!					2770
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in the	organic			50%CO2	was emitted	THE ?
Shredder	material				50% of CO	PAGE
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	on a mol basis				poundsof CO	
					emitted	
600 lbs		46.1538462	553.84615	1292.307692		
Assume	Assume	PM				
5%CL	5% Sulfur	Assume				
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HCI	SO2	non-organic	<u> </u>			
Rason	RQ500	 			<u> </u>	



Attachment 10 Reportable Emission Event

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

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#### Onyx Environmental Services, LLC Port Arthur, TX Upset Emissions Worksheet

Date of upset:

(Total solids/sludge feed rate (lbs/hr) x (.087) x (min TRV opened 60 min/hr

Residence Time = (0.19)(60')  $(rpin)(14^{\circ} dia)(.01746)$  INVESTIGATION 10

- HCL (minutes TRV opened < residence time) x 2471bs
- 60 minutes
- $SO_2$ (minutes TRV opened < residence time) x 511bs 60 minutes
- NOX (minutes TRV opened < res time) x 11.5lbs + .029lbs x (min TRV opened) 60 minutes

60 min/hr

#### Calculations

Residence Time:

PM

3600+3100+1000 = 6700 (.087) (50) -PM:

HCL:

 $SO_2$ :

+ 1020(20) = 9.5 + 1.0  $NO_{X}$ 

Completed By:___ Date:__ 12-12-02 5124778526

#### TEXAS COMMISSION ON **ENVIRONMENTAL QUALITY**



## **Attachment** Reportable Emission Event

ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

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Basis Used to a	Determine Quantitie	s and A	ny A	dditions	al Infor	mation Ne	ece55 <i>a1</i>	ry to Eve	luate	the i	Event:	~~~~·					·
2000	Two town	£~.	. 4 c	·0~) >	دمعر	Wa 540	<u>کہ کہ ہ</u>	14d F	v 71>	~4	Time	6 <del>€</del> 0.	12.04		~		
Person Making	Notification/ Date a	nd Ti-	<del></del>									<del></del> -					
Incident Conta			=	Reco							Phone	E:1	40	<u> ۲</u> ۲ د	736	، مغ ۲ تع ،	G
Jurisdiction(s)			-	1)>~~ 		<u> </u>	<u>&gt;₹~~~</u>	- 6/14			Phone/	E-INAII	اظغ	<u>,u n : 1</u>	<u>~~@</u>	= 177.	Ex. COIY
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#### Onvx Environmental Services, LLC Port Arthur, TX Upset Emissions Worksheet

INVESTIGATION

277000

ATTACHMENT FRAGE

PAGE

Date:	3-10-04
Time TRV opened:	0550
Time TRV closed:	0631
Kiln rotation speed (rpm)	0.57 0.57
Bulk solids feed rate (lbs/hr) ² :	10,00
Sludge energetic feed rate (lbs/lr) ² :	0
Sludge non-energetic feed rate (lbs/hr) ² :	1250
Container feed rate (lbs/hr) ² :	1273
Burn Plan Number:	19304
K-Mix number:	6364
Non Eng. Sludge Blend Number: PKSN	PKSN 1471
Eng. Sludge Blend Number: PKSE	N/A
Cause of upset: The and	/slam tell sitte settem of reasons quaren secirculation has down, resulting circ in temp carried per.

⁻ Slow kiln speed to minimum rpm after upset to minimize particulate emissions - Average solid/sludge feed rate during hour before the upset

An initial report must be submitted to the TNRCC within 24 hours of the upset. completing this form, contact Dan Duncan or Mona Rountree as soon as possible. Dan or Mona will calculate the type and amount of emissions released and submit the report to the TNRCC.

	Work	Home	Beeper
Dan Duncan	(409) 736-4146	(409) 861-4190	(800) 913-5238
Mona Rountree	(409) 736-4122	(409) 724-1402 (409) 721-5487	(409) 841-5465

Completed by:

Last revised 03-22-01

#### Onyx Environmental Services, LLC Port Arthur, TX Upset Emissions Worksheet

Date of upset:

Residence Time =

PM

- (Total solids/sludge feed rate (lbs/hr) x (.087) x (min TRV opened restriction)

  60 min/hr

  (minutes TRV opened < residence time) x 247lbs

  60 minutes

  (minutes TRV opened < residence time) x 51lbs

  60 minutes

- HCL

 $SO_2$ 

60 minutes

NOX

(minutes TRV opened < res time) x 11.51bs + .029lbs x (min TRV opened) 60 minutes

#### Calculations

Residence Time: 8\ ~ i

13,123 x .087 x 41 = 780 133

HCL:

 $SO_2$ :

 $NO_{X}$ 

41 × 115 + 1029 × 41 - 7.85 + 1.7 = 9.05

Completed By:

Last revised 03-07-01



## Attachment 12 Potential Violations Form

#### ONYX ENVIRONMENTAL SERVICES LLC

RN102559719 Investigation Number 277008

Investigation Date - July 16, 2004

Issue

Š.

Title

Regulated Entity Representative Name (Signed & Printed) - Licence (7) comes 07/16/2004 Date Roddy White Investigator Name (Signed &Printed) elle White

COPIES: White: for Regulated Entity Representative, Blue: Agency Copy

p. **70**4GE

7-16-04

Daniel J. Duncan

86

Date

#### INVESTIGATION

277008

ATTACHMENT 12 PAGE 3 OF 4

11-9-02

122.143 (4) 382 085(6)

22 minute exceeded CO permit limit

HW-SCZIZ-001 ATTACKE

1-29-03

122.143 (4) 382.085 (b)

7 minute & 5 minute accept CO permit him

1+W 50212-001 Attach E

10-21-02

117 213(1) 122.143(4) Hourson operation on Degener Emeny Generator not maintan For ONF mouth

382.035(b)

5-26-03

122.143 (4) PF 382.085(b) 101.20167(1)(B)

Exceed HCL, PM permit Limits For Company

HW SOZIZ- OOI Attach E

7-8-03

PF

122.143 (4) 382.095(6)

Exceed UCL, PM permin Limits Gamining HW SOZIZ-OOI Attack & - EE

101.201(a)11)(B)

0-10-03.

122143 (4)

Exceed CO, PM, SOz, HCL - permit Limit HW 50212-007 ATTACH & Sminter EE

382.095 (b) 101.201(a) (1) (B)

1-18-03

122.143 (4) 392, 095(b) 35 mins exceed CO Linix HW SOZIZ-OU Acrach E

#### INVESTIGATION

277008

ATTACHMENT_] ? PAGE 4 OF 4

11-15-03 382.025(6)

122.143 (4) - Exceed Permir Limit Fr CO, HW-50212-601 Atrach E.

12-29-03 122.143 (4) 382.08Xb) Exceed fermit limit 10 minurtes HW-SOZIZ-001 AttAch E

122.143(4) 12-12-03 PF. 381 085(b) 101. 201(a)(1)(B)

HW-50212-001 Attach & Rec EE Exceed Sos, PM, HCL permit Limit

Exceed Permit Limit Somites

3-10-04 122 143 (4) 382.095(b) 101. 201@(11/B)

HW-SOZIZ-001 Attach E 41 minutes recordabir EE