Environmental Quality Assurance Manual

This is a photo of Roy Inks Bridge and Dam in Llano Texas. The bridge was built by Austin Bridge Company in the 1930's.

Austin Industries
Austin Bridge & Road
Austin Commercial
Austin Industrial

The Austin Advantage -- People and Performance

Supersedes all prior Environmental Manuals
April 2009

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INTRODUCTION

Austin Industries and its affiliated companies (Austin) and employee-owners have a tremendous stake in the natural environment. Our business is built on the environment, and it is our most indispensable supplier.

Protection and preservation of the environment is our collective responsibility as good corporate citizens, as individual employee-owners, and as active members of the communities in which we live.

The purpose of this manual is to provide (1) Austin employee-owners with a general understanding of environmental requirements that apply to our business, and (2) provide specific standard environmental operating standards. This manual is not intended to make every employee-owner an environmental expert; however, **compliance with these operating standards is required**. This manual is intended to make employee-owners aware of environmental issues and to require them to contact their company safety, health and environmental director (company "SHE Director") for guidance and instruction in situations when environmental issues may be present. When in doubt, always ask these professionals for help.

This manual contains legal requirements that apply to our business. A failure to understand and to meet these requirements can have adverse consequences for our company, and in unusual circumstances, for each of us personally.

Environmental requirements change over time. City, county, state and federal agencies regulate the environment. This manual addresses Texas and federal requirements only. The cities and counties in which we work are too numerous to address in this manual. Contact your company SHE Director to discuss city and county requirements, and state requirements where a project site is located outside Texas.

This manual is organized into four sections. Section I provides operating standards applicable *prior* to the start of construction, land purchase or lease contracts, and prior to the beginning of field work. Section II relates to field activities once *work has begun*

and through the time it is completed. Section III concerns environmental issues *off the job* site relating to ongoing operations, including paperwork obligations. Section IV addresses *special requirements* that apply to our quarries.

This manual is Austin's sixth on the environment. It is a collaborative effort by each company SHE Director, the corporate SHE Director and the company's outside environmental consultants and legal counsel. This manual supersedes all prior manuals and other company literature and directives on this subject. It does not create legal rights for, or in, any person or company other than Austin.

How can we make the next environmental manual even better? If you have any ideas for improving this manual, please send them to your company safety, health and environmental director at environmental@austin-ind.com.

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Jessy Cole
Company Safety, Health and Environmental Director

Jim Harbor
Company Safety, Health and Environmental Director

Mike Morris
Company Safety, Health and Environmental Director

James Richardson
Field Safety Health and Environmental Representative

Don Blair
Environmental Manager

Your Austin Safety, Health and Environmental Directors and Managers, as of this writing, are:

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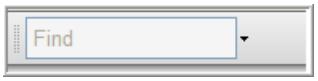
- Go to the **Table of Contents** in the manual and click on the description of the chapter or section
- Go to the "**Find**" area in the tool bar section 

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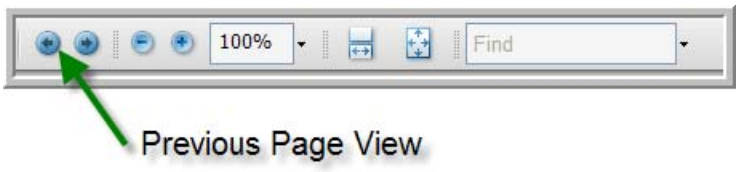
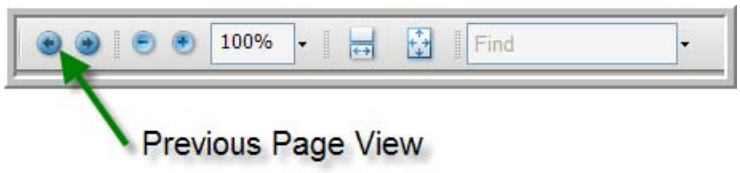


The Exhibits and Forms documents or other references located within **The Environmental Quality Assurance Manual** are indicated by red print. To view one of these items, click on the name. To return to the previous position used or viewed, click the previous page view button on the navigation toolbar.



In an effort to continuously improve **The Environmental Quality Assurance Manual**, please e-mail any recommendations, ideas or corrections identified to:

environmental@austin-ind.com

The Environmental Quality Assurance Manual is intended to define policies and procedures that distinguish Austin. Its success depends on the use of the information by employee-owners.

This manual will be updated periodically. Please reference the Environmental Manual Revision Log under the list of bookmarks for any revisions that have been made.

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Section I: Pre-Contract/Pre-Field Work Environmental Considerations

Austin has three environmental goals that apply to all projects: These goals are:

1. to identify and protect our employee-owners and others in reasonable ways from environmental conditions that are already present at a site ("pre-existing environmental conditions");
2. to assure that those other than Austin who are legally responsible for pre-existing environmental conditions accept and act on those responsibilities; and
3. to assure that Austin has and will satisfy in reasonable ways legal requirements applicable to its portion of the project work.

It is Austin's policy not to handle or to clean up pre-existing environmental conditions.

Should a property have a pre-existing environmental condition, or have a history of potential environmental concerns, a decision will need to be made at the outset whether 1) the owner will be required to resolve or clean up the problems before we start work, or 2) the project can be managed in such a manner so as to not impact the environmental conditions. The operating company President makes this decision.

To satisfy these goals, it is Austin's policy to take and complete the steps described in this Section **prior to the execution of the project contract**, land purchase or lease, acceptance of an Order to Proceed, or in any event, prior to beginning field work. These steps are broadly defined as follows: A) The Environmental Site Evaluation, B) Pre-Construction Environmental Requirements, and C) Contract Review Procedures and Logistics.

A. The Environmental Site Evaluation

To meet our three goals listed above, it is fundamental that Austin know what environmental conditions exist at a property before we start field work or acquire a

legal interest in that property (lease, rent, or purchase). Especially if the legal documents authorizing a construction project do not provide Austin with the right to additional compensation associated with the discovery of undisclosed pre-existing environmental conditions, the Environmental Site Evaluation must be completed before the legal documents are executed.

Our process of gathering the information we need is called an Environmental Site Evaluation (ESE). Our means of recording the information we gather for these purposes is the Environmental Site Evaluation for Pre-Existing Environmental Conditions Form (pages 129-134), provided in the Exhibits and Forms section of this manual. This form must be completed for all projects described in the preceding paragraph, unless a project-specific alternative Environmental Site Evaluation form has been prepared by the company SHE Director, and approved by the corporate SHE Director. Responses to this form may come from several reliable sources; however, one of those sources may be a property visit and inspection by a trained Austin representative. This process applies to any prospective job site where we might perform work for a customer. It also applies to property that Austin might lease or purchase for stationary offices or field project offices, including parking lots for construction projects, equipment shops, equipment storage, asphalt and concrete plants, material storage, quarrying, etc.

It is the responsibility of the originating department or division to complete the Environmental Site Evaluation (ESE) form. The ESE must be signed by both the individual performing the evaluation, and the appropriate SHE representative. See example of Completed ESE Form (pages 184-195).

Once the Environmental Site Evaluation (ESE) form is completed and signed, promptly deliver it to your company SHE Director. His or her responsibility is to promptly review and evaluate the information gathered and to advise the Project Manager and the contract review officer whether environmental conditions may exist warranting caution or action on Austin's part. That advice may be orally

communicated, but must be written at the end of the Environmental Site Evaluation form in the Environmental Clearance Section. The completed form is to be maintained in the prime contract file.

The existence of a "closure" or "no further action" letter for a property does not substitute for completion of this form. Such letters cannot be taken as proof that there are no environmental problems. The laws of the State of Texas give property owners in many situations the option not to clean up an environmental problem on their property "completely." Environmental problems may lawfully remain at a property even though the owner of the site can prove that the state has "approved" its clean up.

Completion of the Environmental Site Evaluation (ESE) is still mandatory in these situations. The most common of these situations are:

- Texas Risk Reduction Program Clean-ups
- Voluntary Clean-Up Program Clean-ups
- Underground tank leaks
- Clean ups related to oil and gas exploration
- Spill clean-ups
- Landfill and surface impoundment closures

In addition, this section includes Austin's Hazardous Waste Operations and Emergency Response (HAZWOPER). This generally discusses our processes and procedures for preparing to work at a site where hazardous materials are present.

B. Hazardous Waste Operations and Emergency Response (HAZWOPER)

This section is included in the manual to note the federal government's regulations concerning operations that involve hazardous wastes.

The OSHA standard for Hazardous Waste Operations covers workers employed in clean-up operations at uncontrolled hazardous waste sites and at EPA-licensed waste treatment, storage and disposal (TSD) facilities; as well as workers responding to emergencies involving hazardous materials (e.g., spills). A waste is considered a "hazardous" waste either if it is on EPA's and Texas' list of hazardous wastes or, if it is not on that list, it fails EPA's and Texas' regulatory test for corrosivity (pH less than 2 or more than 12.5), ignitability (flash point of less than 140 degrees Fahrenheit), toxicity or reactivity (generally, incompatible with water).

The OSHA standard requires employers to develop and implement a written hazardous waste operations program that identifies, evaluates and controls safety and health hazards and provides emergency response procedures for each hazardous waste site or treatment, storage and disposal facility. The written hazardous waste operations program must be updated periodically and made available to all affected employee-owners and subcontractors. We also must inform contractors and subcontractors, or their representatives, of any identifiable safety and health hazards or potential fire or explosion hazards before they enter the work site. This written program must include specific detailed information that is described in 29 CFR § 1910.120.

C. Pre-Construction Environmental Requirements

1. Environmental Review Procedures and Contract Logistics

Timely completion of the Environmental Site Evaluation (ESE) is the beginning of Austin's environmental contract logistics process. The company SHE Director must review the environmental information in that form and provide an Environmental Clearance, indicating whether or not field work may proceed, and if it can, whether there are any environmental conditions warranting special procedures. That clearance must be provided in a timely manner to the Austin Contact Review Officer and to the Austin Project Manager to assure Austin's best interests are met.

Austin's forms for responding to Requests for Proposals (RFPs) and standard proposal conditions and qualifications places a prospective customer on notice that Austin works only at sites that are free from adverse conditions, including pre-existing environmental conditions, and that Austin's obligation to proceed is conditioned upon a satisfactory identification and resolution of the environmental issues, if any, at a site. The goal of these conditions and qualifications is to quickly alert a potential customer to Austin's requirement with the intent that we will have the owner's prompt cooperation and be in a position to resolve in advance all environmental issues in a cost effective and timely manner. It is Austin's intention that the Environmental Site Evaluation process will be implemented to meet our internal requirements.

In contracts initiated by TxDOT or municipalities that do not allow the negotiation of modifications, it is important to review the contract as presented to determine whether and how hazardous materials and wastes, lead-painted beams, wetlands and other environmental issues are addressed and are to be handled. Many of these contracts do disclose pre-existing environmental conditions, or at least those related to hazardous materials, and provide that if such conditions are encountered, the work will be stopped until remediation is complete. A provision of this type is consistent with the information in this manual. If you determine that this issue is not addressed, or is addressed in ways that are not consistent with the information in this manual in such contracts, contact your company SHE Director for guidance.

2. Demolition Notice

At least 10 working days prior to beginning demolition in a facility or a public building in Texas, a notice form must, by law, be completed and filed with the Texas Department of State Health Services in Austin (DSHS). This requirement applies whether or not asbestos is present**.** The DSHS Notice Form is available from your company SHE Director and is included in the Exhibits and Forms

section of this manual, or may be accessed at the DSHS webpage - (http://www.dshs.state.tx.us/asbestos/default.shtm) and go to Applications/Forms to download the form. See example of Completed Texas Demolition Notice Form (pages 217-218).

This filing is required only if the project falls within certain legal definitions.

"Demolition" means wrecking or removing load-bearing structural members from a facility or a structure to which the public has access. A "facility" means almost any building or structure, except one-to-four-family residences. Federal regulations (40 CFR § 61 Subpart M) enforced by DSHS provide that in addition to a common understanding of the term "facility," a facility also includes bridges, dams, foundations, motors, etc.

The most time-sensitive requirements in the notice form, aside from its advance filing requirement, are a statement of a specific start date and completion date. This must be coordinated carefully. The relevant start date for filing the notice form is the beginning of that part of a project that will culminate in demolition of a load bearing member of a structure.

For example, consider a project that involves the demolition of a paved parking lot at the same site where demolition of a building is to follow. The relevant start date for filing, completing and complying with the DSHS notice form requirement is the date the demolition of the building is to begin because the parking lot is not a structure and has no load bearing members.

The owner of the facility or public building, not the general contractor or construction company, is required to sign and file the notice form. As long as asbestos is not involved, Austin may prepare this form for filing.

The DSHS notice form requires, among other things, a certification regarding the presence or absence of asbestos in the facility or building. This is why, among

other reasons, it is critical that questions 8 and 9 in the Environmental Site Evaluation (ESE) form be completed carefully and accurately.

Applicable federal regulations:	EPA notice requirement 40 CFR § 61.145. EPA definitions 40 CFR § 60.141.
Applicable Texas regulations:	DSHS notice requirements 25 TAC § 295.61(a). DSHS definitions 25 TAC § 295.32.

3. Asbestos Requirements

a. Notification of Demolition and Renovation

The same DSHS Notice Form used to describe demolition activities that do not involve asbestos must also be filed, with additional detail, when a project involves demolition, as defined, or renovation that includes the removal or abatement of asbestos, even in relatively minor quantities. "Renovation" means adding or altering a facility or a structure by removal, repairing, and rebuilding.

At least 10 working days prior to beginning a renovation of a facility or a public building in Texas that involves asbestos, the same procedure, process and filing discussed above must be made. The owner of the facility or public building, not the general contractor or construction company, is required to file the notice form.

It is Austin's policy not to engage in the handling or any other management of asbestos-containing materials, or to hire subcontractors or others to do so. The primary exception is for Austin Industrial employee-owners who have specific asbestos-related training. They are limited by company policy to the removal and bagging of ACM. TXDOT jobs with asbestos concerns will be addressed separately and will require company President approval.

Thus, unless this exception applies, Austin will not file the DSHS notification form where asbestos is involved, unless approval is first obtained from the operating company President.

Since asbestos abatement projects can, and often do influence the timing of Austin's non-asbestos-related construction activities, Austin may incur certain legal exposures if the notice is not filed with the DSHS or its terms are not met. Again, this is why, among other reasons, it is critical that questions 8 and 9 in the Environmental Site Evaluation form be completed carefully and accurately.

It is the job responsibility of Austin's project manager or, if assigned, the Competent Asbestos Person, to assure that the required notice form is filed timely and accurately by the site owner with the DSHS. It is the responsibility of Austin's project manager, with assistance from the company SHE Director:

- before Austin's non-asbestos work proceeds, to determine whether the DSHS notice will involve asbestos,
- before Austin's work proceeds, to determine whether the notice has been filed with accurate information,
- to inquire about appropriate corrections and amendments to the DSHS notice, and
- to keep an Austin file establishing that these legal requirements have been met.

File a copy of the notice and all related documents in the prime contract file for that project.

Further information concerning the management of asbestos waste may be found in Section II.6.g. (page 95) of this manual.

Applicable federal regulation: EPA notice requirement 40 CFR § 61.145.
EPA definitions 40 CFR § 61.141.

Applicable Texas regulations: DSHS notice requirements 25 TAC § 295.61(a).
DSHS definitions 25 TAC § 295.32.

b. Local Asbestos Survey Requirements Applicable to Securing a Building Permit

Effective January 2002, every building permit applicant in Texas planning to conduct renovation or demolition of a public or commercial building is required to present an asbestos survey in a form acceptable to the municipality to obtain a building permit. The asbestos survey is required to be performed for all parts of the structure that are a part of, or will be affected by the planned renovation or demolition. The survey must be conducted by a person licensed under state law to conduct asbestos surveys. Check with the municipality in which the project is to be performed for its specific requirements.

It is Austin's policy to request that our customer provide the asbestos survey for all parts of the structure that are a part of, or will be affected by the planned renovation or demolition, and to rely on that survey in seeking a building permit. In the event the customer does not have a current asbestos survey, Austin may direct the customer to persons known to be licensed by the DSHS to perform asbestos surveys so that the customer will provide the survey necessary to satisfy this legal requirement.

This requirement is in addition to the TDH demolition notification process, and the legal requirements applicable to the abatement and removal of asbestos, described above.

Austin's only approved asbestos consultants are:

Dyana Lee
Resource Environmental Consulting
5001 LBJ Freeway, Suite 700
Dallas, Texas 75244
Phone: (972) 385-4535

Robert Garrison
IAQ Consultants, Inc.
190 W. Northwest Pkwy, Ste. C
Southlake, Texas 76092
Phone: (817) 481-6280

Darren Bowden
Southwest Geoscience
2351 W. Northwest Hwy., Suite 3321
Dallas, Texas 75220
Phone: (214) 350-5469

Applicable Texas law: Texas Health and Safety Code, Article 4477-3a, § 13 (2002).

c. TxDOT Projects Asbestos Concerns

In determining whether suspect Asbestos Containing Materials (ACM) presents a potential concern on TxDOT projects, TxDOT personnel may conduct an initial assessment of each bridge demolition or renovation project to determine the potential presence of ACM. If this assessment indicates that suspect ACM may potentially be disturbed by the demolition or renovation activities, TxDOT will request a consultant of its own choosing to conduct confirmation inspection and testing by a licensed consultant. Alternatively, TxDOT personnel will request that Austin engage a licensed consultant to do this work.

The Austin project manager should obtain copies of the initial assessment and any follow-up activities conducted by a TxDOT consultant. Per TxDOT guidance, TxDOT and/or their consultant are responsible for filing all

notifications regardless of the presence or absence of asbestos. It is the Austin project manager's responsibility to assure that the proper notifications and amendments, if applicable, have been made. (See Section I.C.2 (page 22) of this manual for projects with no ACM impact and Section I.C.3 (page 24) for projects with ACM impacts.)

It is TxDOT's policy that all asbestos abatement will be performed by a DSHS licensed abatement contractor. Abatement work will only be included in the construction contract when (1) the abatement work is so intrinsic to the removal of the structure that it cannot be separated; (2) the abatement work will require additional lane/road closures that could be reduced if the abatement is conducted in conjunction with other structural work; or (3) having two separate contractors perform work presents excessive risk to TxDOT.

Should previously unknown ACM be encountered during a project, TxDOT allows the construction contractor to conduct the abatement if the contractor is willing and able (e.g. has the requisite expertise, licenses, and insurance) to perform the abatement. (See Next Paragraph)

It is Austin's policy not to engage in the handling or any other management of asbestos-containing materials, or to hire subcontractors or others to do so. The primary exception is for Austin Industrial employee-owners who have specific asbestos-related training. They are limited by company policy to the removal and bagging of ACM. TxDOT jobs with asbestos concerns are addressed separately and require company President approval.

Applicable federal regulation:	EPA notice requirement 40 CFR § 61.145. EPA definitions 40 CFR § 61.141.
Applicable Texas regulations:	DSHS notice requirements 25 TAC § 295.61(a). DSHS definitions 25 TAC § 295.32.

Applicable Texas guidance: TxDOT Guidance for Handling Asbestos in Construction Projects, Jan. 11, 2007.

4. Wetlands and "Waters of the United States" Permits

a. U.S. Army Corps of Engineers Requirements

The Federal Clean Water Act prohibits most construction-related activity in "waters of the United States" without authorization from the United States Army Corps of Engineers (Corps). These prohibited activities include the dumping of fill material into these waters, and the excavation, dredging, mechanized land clearing, land leveling, and levee or dam construction in these waters. Dumping of other materials into waters of the United States, allowing certain regulated materials to run off from adjacent lands into these waters, is stringently regulated under wastewater, storm water and other environmental programs.

The definition of "waters of the United States" goes beyond what one might logically think of as federal waterways (i.e. traditionally navigable waters such as rivers and lakes). It also includes certain streams, wetlands, mudflats, natural ponds, arroyos and prairie potholes. If such waters of the United States are present at an Austin property or a job site, and site activities may or will affect those waters, a permit from Corps must be obtained prior to beginning site work.

One must carefully understand what wet areas are considered "waters of the United States" subject to permitting. There are three types of "streams" in the definition of waters of the United States: perennial, intermittent and ephemeral. Perennial streams have flowing water year-round during a typical year and are almost always considered waters of the United States. Intermittent streams have flowing water during certain times of the year, when groundwater provides water for stream flow, and are considered waters of the United States if they flow continuously for at least three months a year or

have a "significant nexus" with a traditionally navigable water. Ephemeral streams only have flowing water during, and for a short duration after, rainfall events, and are only waters of the United States if they have a "significant nexus" with a traditionally navigable water. A determination of whether or not a stream has a "significant nexus" with a navigable water is a complex one, based on individual watershed issues, and should be made in conjunction with a qualified waters of the U.S. consultant.

"Wetlands" are a subset of "waters of the United States." Wetlands are a more qualitative concept and more difficult to determine in practice, than a "water of the United States." An area is considered a wetland if all three of the technical characteristics of a wetland are present: specific vegetation, soil, and hydrology. An area may have wetland vegetation if it has plant communities that commonly occur in areas having standing water for part of the growing season such as cattails or bulrushes. An area may have wetland soils if it has soils similar to peats or mucks. An area may have wetland hydrology if it occurs in a floodplain or otherwise has low spots in which water stands at or above the soil surface during the growing season. Even if an area demonstrates all three characteristics of a "wetland," it would not constitute a "water of the United States" unless it: i) is adjacent to a navigable water; ii) has a hydrological connection to another jurisdictional water of the United States (e.g. a jurisdictional stream, river, or wetland); or iii) is adjacent to another jurisdictional water and has a significant nexus to a navigable water.

If an area that will or may be affected by project activities falls within the definition of a "water of the United States," including a "wetland," it is Austin's policy not to proceed with its fillings, excavation, dredging, mechanized clearing or leveling, or with the construction of a levee or dam, without involving our customer and evaluating the potentially

applicable Corps permitting requirements. The SHE Director, after consultation with an Austin-approved wetland consultant and legal counsel, will determine what legal procedures, including permitting, are necessary.

Listed below is the wetland consultant Austin has approved for this purpose:

Keith Bradley	KBA EnviroScience, Inc.	972/436-9669

Applicable federal law: 33 U.S.C. 1344 (Corps dredge and fill material permitting).
Applicable federal regulation: 33 CFR §328.3 (definition of "waters of the United States").

b. TCEQ Storm Water Requirements

The presence of "waters of the United States" or "waters of the state," including wetlands, does not determine storm water permitting obligations. However, at sites for which such permitting is required, the identification of such waters by name, including wetlands, is important in the determination of Best Management Practices. A storm water permittee is required not only to address and minimize contact between storm water and process materials so as to prevent pollution of storm water, it is required to minimize the discharge of polluted storm water to these waters, including wetlands.

c. Standard Operating Procedure

In responding to question 14 of the Environmental Site Evaluation for Pre-Existing Conditions form, the preparer shall,

1. Before work proceeds, visually inspect the entire site and report on potential waters of the United States. Areas with characteristic wetland vegetation such as cattails should be reported. Other features to be noted are drainage ditches, channels, streams and creeks, even if such features do not contain water. After being notified through the form, the SHE

Director will determine the next steps to make a formal wetlands determination and, if necessary, an evaluation of potential permitting requirements.

2. Those who prepare the SWPPP for such site shall take into account the formally identified waters of the United States in their development of Best Management Practices.

5. Storm Water Permits/Storm Water Pollution Prevention Plans (SWPPP)

The goal of the Texas Commission on Environmental Quality (TCEQ) in the storm water permitting program is important: to minimize pollution that may be present in runoff (e.g., from a rainstorm) from a site. For projects outside Texas, please contact your company SHE Director for further direction.

a. Texas Construction Sites

(1) Applicability

If an Austin construction project in Texas will disturb five (5) or more acres or is part of a smaller project with the potential to disturb cumulatively 5 or more acres, or is a LEED project, a site-specific Storm Water Pollution Prevention Plan (SWPPP) (page 35), discussed in c. below, must be prepared and implemented, and a Notice of Intent (NOI) (pages 175-176) to Comply with the Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit must be filed with the TCEQ for the project. The TCEQ requires that the following be posted at the entrance to the construction site: (1) the NOI, (2) a description of the project, and (3) the name and telephone number of the site owner and project manager. See Project Example (pages 196-218) in the Completed Exhibits and Forms section**.**

If an Austin construction project in Texas will disturb one (1) or more acres, but less than 5 acres, or is part of a larger plan of development

with the potential to disturb cumulatively 1 acre or greater, but less than .5 acres, a site-specific SWPPP must be prepared, and a Construction Site Notice must be prepared using the TCEQ Form (pages 151-154) and posted at the site.

If storm water runoff from the project will enter a Municipal Separate Storm Sewer System, a copy of the Construction NOI or Construction Site Notice must be sent to the operator of the system. Also, some municipalities have their own construction storm water discharge requirements that must be observed.

Projects in the Edwards Aquifer Recharge Zone generally located in the area from Austin south to and around San Antonio (and certain areas upstream of that Zone) and within the Texas Coastal Management Program (the coast along the Gulf of Mexico) boundaries have additional requirements.

Ready mix concrete plants located at construction project sites have their own storm water requirements.

Although it is lawful for each contractor at a site to have its own SWPPP, Austin's practice is to strongly encourage a single, consolidated, project-wide SWPPP. When Austin is the general contractor/construction manager, Austin should develop the SWPPP in coordination with the site owner.

(2) Standard Operating Procedure

The preparation of the SWPPP for a construction site is the responsibility of the Austin Project Manager, with the assistance of the company SHE Director. The site owner should obtain, prepare and file the Construction NOI, or obtain, prepare, and post the Construction Site Notice (pages 155-156), depending upon the size of the project. However, if Austin is

the general contractor or the construction manager for the project site, Austin must prepare and submit its own Construction NOI, or prepare and post its own Construction Site Notice.

Timing is important. A SWPPP must be prepared, certified, and implemented before a Construction NOI is filed or a Construction Site Notice is posted. Construction cannot commence until 2 days after the NOI was sent to the TCEQ, and, if the discharge is to a Municipal Separate Storm Sewer System, the copy of the NOI or Construction Site Notice was sent to the operator of that System.

A Notice of Termination (NOT) (pages 177-178) is to be filed with the TCEQ within 30 days of final stabilization of a construction project. A project has reached final stabilization when all soil disturbing activities at the site are complete, and a uniform, native vegetation cover of at least 70% density has been established.

It is important to note that SWPPP manuals should be read in their entirety. SWPPP plans will generally have more stringent requirements than those called for in the general permit. Some requirements could add additional cost as well as time for compliance.

b. Texas Stationary Industrial Facilities

(1) Applicability

Austin's facilities covered by SIC Codes 21 through 39 (for example Hot-Mix Asphalt Plants in SIC Code 2951, Ready-Mix Concrete Plants in SIC Code 3273 and Aggregate Quarries in SIC Code 144x) are subject to the requirements of the TPDES Multi-Sector Industrial Storm Water Permit.

Existing stationary industrial facilities must have filed an NOI for coverage under the Multi-Sector Industrial Storm Water Permit. New

stationary industrial facilities must do so at least 48 hours before beginning their operations.

Periodic storm water sampling and reporting is required. The specific requirements will be handled by the Company SHE Director, in coordination with the Site Manager.

Like construction projects, stationary industrial facilities requiring permit coverage must have a Storm Water Pollution Prevention Plan, discussed in c. below.

(2) Standard Operating Procedure

It is the responsibility of the Austin plant manager to prepare the SWPPP, and to prepare and file the NOI for the TPDES Multi-Sector Storm Water Permit. It is the responsibility of the company SHE Director to assure that the SWPPP is being satisfied. Austin's hot-mix asphalt plants and ready-mix concrete plants (and all other Austin sites covered by the Multi-Sector Permit) must have a written site-specific Storm Water Pollution Prevention Plan in place, and have filed an NOI.

To voluntarily terminate coverage under this permit, a Notice of Termination (NOT) must be filed with the TCEQ.

c. Storm Water Pollution Prevention Plan (SWPPP)

The centerpiece of the storm water permitting program -- both at construction sites and at industrial facilities -- is a site-specific SWPPP. The SWPPP contains a description of the controls and measures to minimize impacts to waters of the United States and of Texas, including where present - wetlands, that would otherwise run off a site. A SWPPP for construction sites and for a stationary industrial facility is similar, with a few differences.

(1) Construction Site SWPPP

Sites that will disturb, including clearing, grading, excavating, more than 1 acre of land, are required to have a SWPPP. The SWPPP must contain the following general elements, among other things:

- A detailed project description, a map indicating the site location, a site map depicting construction site details, and information on receiving waters;
- A description of the structural and the non-structural controls (Best Management Practices, or BMPs) that will be used to minimize pollution in runoff during construction, as well as stabilization practices during and at the completion of the activity;
- A description of how BMPs will be maintained and how controls may be revised upon a finding that the control measures are either not working properly or adequately;
- A description of how site inspections will be conducted. Inspections are required at a minimum frequency of at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater during active construction activities. Where sites have been temporarily stabilized, inspections must be conducted at least once every month. Special provisions allowing for representative inspections are provided for long, linear projects where access along the site is limited and travel along the site may damage stabilized areas or cause greater potential for erosion;
- Identification and a description of the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge;

- Though permitted separately, a ready mix plant at a construction site needs to be accounted for in the site's SWPPP.

A copy of the SWPPP must be maintained on the construction site, or if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWPPP.

(2) Stationary Industrial Facility SWPPP (Asphalt Plants, Concrete Plants, and Quarries)

This must contain the following general elements, among other things:

- A site description, including a map that shows how storm water flows across the site and where that water discharges as it exits the site.
- Descriptions of materials on site, including lead-based painted structural beams, if present, and potentially exposed to storm water that may affect the quality of storm water discharges from the facility.
- Development of practices and any necessary controls (such as sediment traps and other erosion controls) that will prevent or reduce pollution in storm water discharges from the facility, and descriptions of how these practices and controls are appropriate for the facility and how each will prevent or lessen pollution.
- Schedule and scope of required inspections.
- Description of required maintenance procedures.
- Monitoring requirements.

The presence of lead-based painted structural beams on Austin sites requires their inclusion in the site's Storm Water Pollution Prevention Plan, unless the lead-based painted beams are covered and can effectively be protected from rainfall. Most sites will need to ensure that the storm water monitoring program includes sampling for lead.

A copy of the SWPPP is to be kept at the site. It is not filed with the TCEQ, but must be available at the site in the event of an inspection.

Applicable Texas law: Texas Water Code 26.040.

TXR150000, Texas Construction Storm Water

General Permit (effective February 15, 2008).

TXR05000, Texas Multi-Sector Industrial Storm Water

General Permit (effective August 14, 2006).

6. Spill Prevention, Control and Countermeasure (SPCC) Plan (Oil Spill Prevention Activities)

a. Current Requirements

An SPCC Plan is required for any site where either unused or used (waste) petroleum products, such as gasoline and diesel fuels, lubricating and hydraulic oils, are stored in an inventory of containers having a capacity of **55 gallons or more** each, and the capacity of all containers at a site is **1,320 gallons or more** or whether a release or discharge of oil from the facility would be likely to harm a navigable water of the United States. In other words, if a small quantity of "oil" (less than 1,320 gallons) is stored adjacent to the "waters of the United States"; it may trigger SPCC Plan requirements. Quantities that are brought on site by Austin and all other parties must be added together and evaluated in determining whether the SPCC Plan requirements are triggered for the site.

Should the requirement to have an SPCC Plan involve petroleum products or wastes at the site as a result of parties in addition to Austin, it is Austin's policy that the SPCC Plan must be in the name of the site owner, and all parties must indicate their acceptance of the SPCC Plan in writing. Should the requirement to have an SPCC Plan arise as a result of only Austin's

activities, the SPCC Plan may be placed either in Austin's name or in the name of the site owner.

The responsibility to determine whether the anticipated or actual quantity of petroleum products stored at a site will trigger the SPCC Plan requirements rests with the project manager at each project site, and for Austin-owned or leased properties, rests with the Austin Site Manager. Should an SPCC Plan be required, it is the responsibility of the company SHE Director to prepare same with the assistance of the Site Manager, in coordination with the registered professional engineer. The current SPCC Plan requirements (pages 157-174) are found in the Exhibits and Forms section of this manual.

A copy of the SPCC Plan is to be kept at the site. It is not filed with the government, but must be available at the site in the event of a government inspection. When the project is complete, the SPCC Plan is to be maintained in the prime contract file for that project. When an Austin fixed site is sold or otherwise vacated by Austin, the SPCC Plan should be maintained in the permanent file for the site.

Applicable federal regulations: 40 CFR § 112.

b. New SPCC Requirements Effective July 1, 2009

As a result of regulatory changes made on December 26, 2006, which became law on October 31, 2007, more Austin construction and stationary industrial sites than ever before will be required to have and to implement an SPCC Plan. The effective date will be July 1, 2009. Therefore, currently, all sites previously subject to SPCC requirements will need to maintain their facilities under the old rules but meet the new requirements on or before July 1, 2009. Qualifying sites that begin storage after this date must have and are implementing an SPCC Plan on the date of startup.

The first step in determining whether a site is subject to SPCC requirements is to make a volume calculation. There are two primary changes from the current SPCC requirements. First, an SPCC Plan will be required for any site having an **oil storage capacity of 1,320 gallons or more**. While the 1,320-gallon requirement is unchanged, the containers that must be included have changed. Under the new regulations, containers with a capacity of **55 gallons or more** must be counted. The new rule provides an alternative to the general secondary containment requirements for qualified oil-filled operational equipment when a facility meets a single spill history qualifying criterion. The facility can use the oil-filled modified requirements if the facility did not discharge from any oil-filled equipment (1) more than 1,000 U.S.gallons of oil in a single discharge to navigable waters or (2) two discharges of oil to navigable waters each exceeding 42 U.S. gallons within any twelve-month period, in the three years prior to the SPCC Plan certification date, or since becoming subject to Title 40, Part 112 of the Code of Federal Regulations (CFR) if the facility has been in operation for less than three years. Eligibility for the oil-filled operational equipment alternative is determined by the discharge history from the equipment, not the entire facility.

Storage in containers having a capacity of less than 55 gallons is not counted under the new rules. Storage in regulated underground tanks continues not to be counted either but must be discussed in the plan and shown on the site facility map if in volumes greater than 42,000 gallons.

Second, animal and vegetable oil must now be included.

Many Austin construction sites involve multiple parties that bring oil to the site. The new SPCC regulations state that the volume of **all** oil at a site must be summed and compared to the 1,320 gallon SPCC Plan threshold to determine whether SPCC Plan requirements apply to the site as a whole.

Austin's SPCC applicability determination is the final step. If Austin brings 1,320 or more gallons of oil storage to a project site or a release or discharge of oil from the facility would be likely to harm waters of the United States, Austin will be required to have an SPCC Plan.

At sites where Austin does not bring 1,320 or more gallons of oil to a project site, Austin may still be subject to SPCC requirements. This is because of the site-wide oil-storage calculation methodology. **This SPCC Plan is not to be in Austin's name**, but rather in the name of the general contractor responsible for the site, or the site owner. **Note: We must be aware of this condition when we are the GC or CM and the sum of contractors' equipment on the job may trigger this requirement. Consult with your company SHE Director when this condition occurs.**

The content requirements for the new SPCC Plans are enlarged. In general, they must now address three areas:

1. Control measures, such as secondary containment for small, medium and bulk containers, that are installed in advance to prevent a spill from reaching specified water resources;
2. Operating procedures to prevent and minimize oil spills;
3. Plans to address spills that in fact might reach those water resources.

In addition, the new SPCC Plan regulations contain tougher container construction requirements (including limitations on underground piping), container integrity testing in certain circumstances, posted oil handling warnings and/or signage, recordkeeping requirements, employee training responsibilities, and spill reporting provisions.

Each SPCC Plan and each technical amendment to an SPCC Plan, must be sealed by a registered Professional Engineer (P.E.). Under the new rules, the project site may be visited by the P.E. or their agent, to satisfy the site review

criteria. There is a duty to amend an SPCC Plan in the event a change in operations is planned that will materially affect spill planning or handling, and to update the SPCC Plan (and to document that updating) once every five years. Spill reporting is required under certain circumstances.

Austin's current staff assignment policies concerning the determination of whether SPCC requirements apply will not change under the new regulations. The Project Manager is responsible for determining SPCC applicability at their project site. At Austin-owned or leased properties, this duty rests with the Austin Site Manager. There is also no change from the policy that should an SPCC Plan be required, the Project Manager or the Austin Site Manager, as the case may be, must promptly contact the Company SHE Director, who will be responsible for making the necessary arrangements to have the SPCC prepared and sealed by a registered professional engineer (P.E.).

The SPCC Plan for each site must be at that site. It is not filed with the government, but must be available in the event of a government inspection. When a project is complete, Austin's policy is that the SPCC is to be maintained in the prime contract file for that project. When the SPCC Plan is for an Austin-leased or owned site that is sold, the SPCC Plan must be maintained in the permanent file for that site.

Applicable federal regulation: 40 CFR § 112 (July 17, 2002, as amended December 26, 2006).

c. Proposed SPCC Requirements Yet to be Finalized

On October 1, 2007 EPA proposed more changes to the SPCC rules. As of the writing of this version of this manual, these rules have not been finalized.

All SPCC-regulated facilities would be potentially affected by the proposed amendments to provide:

- clarity on the general secondary containment requirements;

- flexibility in the security requirements;
- flexibility in the use of industry standards to comply with integrity testing requirements;
- additional flexibility in meeting the facility diagram requirements; and
- clarification on the flexibility provided by the definition of "facility."

In addition to the amendments listed above, EPA is proposing to:

***Exempt* the following from SPCC regulations:**

- hot-mix asphalt and hot-mix asphalt containers;
- pesticide application equipment and related mix containers used at farms;
- heating oil containers at single-family residences; and
- completely buried oil storage tanks at nuclear power generation facilities that meet the Nuclear Regulatory Commission design criteria and quality assurance criteria at 10 CFR part 50, Appendices A and B.

Differentiate: integrity testing requirements for containers that store Animal Fats or Vegetable Oils (AFVO) and meet certain criteria and FDA regulatory requirements.

Define: "loading/unloading rack" in order to clarify the equipment subject to the provisions for facility tank car and tank truck loading/unloading racks and exclude farms and oil production facilities from the loading/unloading requirements; and

Streamline: requirements and allow the use of an SPCC Plan template for a subset of qualified facilities known as "Tier 1" qualified facilities (i.e., with no individual oil storage container with a capacity greater than 5,000 U.S. gallons up to an aggregate of 10,000 gallons); and several requirements for oil production facilities, including:

- modify the definition of "production facility", consistent with the proposed amendments to the definition of "facility";
- extend the timeframe by which a new oil production facility must prepare and implement an SPCC Plan;
- exempt flow-through process vessels at oil production facilities from the sized secondary containment requirements, while maintaining general secondary containment requirements and requiring additional oil spill prevention measures;
- exempt flowlines and intra-facility gathering lines at oil production facilities from all secondary containment requirements*, while establishing more specific oil spill prevention measures*;
- clarify the definition of "permanently closed" as it applies to an oil production facility.

(Note: EPA is also taking comment on approaches that could be used to establish alternative criteria for an oil production facility to be eligible to self-certify an SPCC Plan as a qualified facility, and approaches to address produced water containers at oil production facilities.)

Clarify: that nurse tanks used at farms are included in the December 2006 amendments related to mobile refuelers and therefore exempt from the specifically sized secondary containment requirements for bulk storage containers.

All SPCC regulated facilities are still required to comply with the existing SPCC regulations while EPA considers these proposed amendments.

7. Fire Retardant Clothing (FRC): Contract Issues

Selected Austin projects at customer's project sites may involve ownership or rental of FRCs from a third-party uniform supplier that also launders the FRCs as

a part of their contract with Austin. FRCs include the entire field of textile personal protective equipment (e.g., uniforms, hats, gloves, shoe coverings) sent to laundering services. As FRCs become soiled with chemicals from a project site, they present a variety of environmental issues for Austin.

FRCs are viewed and regulated by the State of Texas and the U.S. EPA in much the same way as are contaminated rags or wipes: as potential wastes. In fact, since 1988, the state of Texas has grouped "rags, wipes, textile suits, gloves and other personal protective equipment" into a single category of "materials" for purposes of analyzing whether the materials would be classified as a hazardous waste. Similarly, an early EPA interpretive letter groups personnel protective clothing, contaminated clothing and other "similar debris" and a 2002 letter describes the materials as "reusable shop towels and other textiles."

It is Austin's policy to carefully examine the contract with our customer where uniform rental or cleaning is involved and to assure that all legal responsibility for such chemicals remains with the customer. That means that any contaminated clothing must not be allowed off the site and an approved laundry facility will be utilized in the cleaning process. Austin retains the right, but not the duty, to inspect laundry facilities to ensure proper safeguards, procedures and equipment are being utilized. This responsibility rests with the Account Manager and the safety department to ensure.

Employee-owner responsibility: Inform their supervisor of any clothing subjected to excessive contamination.

Site supervisor responsibility: Determine product(s) involved with soiled clothing, decide if they need to be cleaned at an approved laundry facility and arrange for cleaning.

8. Lead-Based Painted Structural Beams

Requests for Proposal from TX DOT, USDOT, and other customers may identify the presence or possible presence of lead-based paint on structural beams. It may be apparent from Austin's experience that such paint exists or may exist on such beams, apart from the disclosure of lead-based paint by a customer. Observations during pre-bid job site inspections and the performance of the Environmental Site Evaluation (ESE) for Pre-Existing Environmental Conditions will allow ready observation.

Structural beams are a valuable commercial product that can and are in fact reused by Austin and others in a variety of commercial situations without further processing. Accordingly, the beams are not considered wastes subject to environmental regulation. The removal of such structural beams to an Austin site for re-use does not constitute the transportation or management of lead-containing wastes so long as the beams are in fact reused without treatment.

The possible or disclosed presence of lead-based paint on these beams has legal implications that must be addressed.

It is Austin's policy to take all reasonable precautions to minimize the flaking of lead-based paint off structural beams. If proper precautions are not taken, lead-based paint from structural beams staged at Austin sites may flake, resulting in contamination in vehicles, soils and storm water runoff.

Austin has the following job site policies that apply to the lead-based painted structural beams.

1. **If lead-based paint has not been disclosed but is suspected, Austin will require the customer to conduct and provide a lead-based paint laboratory test before the beams in question are handled.**

2. **The resurfacing, cutting, welding, or other operations designed to directly affect the surface of lead-based paint will be done only by persons having the required documented training.**
3. **Austin will not collect or dispose of soils or other materials in or on which lead-based paint flakes are located or become located at the job site as a result of the handling of the structural beams. Such contaminated soils are considered pre-existing environmental conditions and are not Austin's legal responsibility.**
4. **If Austin sells structural beams with lead-based paint, Austin will describe the beam as a commercial product and disclose the presence of the lead-based paint in writing in advance to the purchaser.**

Applicable federal regulations: 40 CFR § 261.
Applicable State regulations: 30 TAC § 335.1.

Other materials:

TCEQ letter dated 7/20/1998 addressed to Michael S. Chamberlain, Advanced Micro Devices.

EPA RPC # 01/03/89-3, letter of 1/3/1989 to Timothy Fields, Jr., Director, Emergency Response Division.

EPA RPC # 05/06/2002-1, letter of 5/6/2002 to Honorable Thomas Carper, U.S. Senate.

UTSA Environmental Tips for Industrial Launderers, Laundry ESP.

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Section II: In-Field Environmental Operating Standards and Practices

After a property has received its Environmental Site Clearance (ESA or ESE), the following operating standards must be followed.

A. Procurement

1. Selection of Materials

It is good business and good environmental management to order chemicals in quantities that will minimize leftover amounts.

When possible, substitute less dangerous materials for hazardous materials. Take reasonable measures to not purchase products that contain any of the chemicals on EPA List of Extremely Hazardous Substances (pages 143-146) in the Exhibits and Forms section of this manual. Confer with your company SHE Director and review Material Safety Data Sheets.

Certain contracts may require the use of LEED Low-Emitting Materials. If these requirements are present, contact your company SHE Director or Nicole Heinle at (214) 443-5507.

Every effort must be made to use substitute products for asbestos brake materials. Employee-owners required to work with such material will be protected with personal protective equipment, vacuum system and other methods specified by your company SHE Director.

2. Selection of Suppliers

One criterion to be used in the selection of suppliers is whether a supplier will warehouse chemicals, including petroleum products and solvents, until they are actually needed at the job site.

Another criterion for the selection of suppliers is whether the supplier will store chemicals such as curing compound at the construction site in bulk storage containers, thereby reducing our use of 55 gallon drums.

Another criterion for the selection of suppliers is whether the supplier will agree in advance to allow us to return undamaged drums and other containers to them.

B. Air Quality

1. General Requirements

It is not lawful to begin construction or operation of equipment at a Texas site that will cause air pollution until the required authorization for air emissions is obtained from the Texas Commission on Environmental Quality. There are three types of state air emissions authorizations in Texas today: (1) permits by rule, (2) Standard Permits, and (3) New Source Review, or Operating, air permits.

Permits by rule, called Standard Exemptions until the late 1990's, are available for air emissions from many types of equipment. Among those used by Austin for which a permit by rule should be considered are sand/abrasive blasting, paint spray operations, and stationary engines and generators. Many other small air emissions sources can become authorized under the permit by rule program as well.

Standard permits today are required for Austin's air emissions from new temporarily located small rock crushers, concrete batch plants (temporary and permanent), and asphalt plants. Concrete batch plants that register under a Standard Permit are subject to public notice unless they are temporarily located within or immediately adjacent to the public works right of way.

Standard permits have additional, and in most cases, more difficult requirements to satisfy than permits by rule and the predecessor Standard Exemptions. Possibly the most practical difference is that obtaining a Standard Permit takes

more time than a permit by rule, and therefore requires more advance planning by Austin to avoid starting construction sooner than the law allows. Construction may begin after receipt of written notice from the TCEQ that there are no objections to the project or thirty days after receipt by the agency of the Standard Permit registration, whichever occurs first, unless the stated terms of the Standard Permit require receipt of prior written TCEQ approval. Some smaller air emissions sources that would have been able to meet permit by rule or Standard Permit requirements will, if modified in certain ways, be faced with obtaining an operating air permit.

Operating permits can be sought for all facilities. In theory, they offer the most operational flexibility, but involve public notice and in general require the most amount of time to obtain. Air operating permits are subject to renewal 10 years after their issuance date.

The permit by rule notice/registration filing fee is now $450. The Standard Permit fee is $900. The operating air permit application filing fee is the lesser of $900, and 0.0030 (0.30%) multiplied by the capital cost of the equipment subject to permitting.

Applicable Texas regulations:
30 TAC § 106 (2008): permits by rule.
30 TAC §§ 116.601-.615 (2008): standard permits.
30 TAC § 116 (2008): operating permits.
30 TAC §§ 116.601-.615 (2008): filing fee.

2. Air Permitting

a. Abrasive Blasting

It is against Austin's policy to perform abrasive blasting that involves lead-based paint.

Other abrasive blasting should be held to an absolute minimum. Prior to initiating abrasive blasting activities, the potential impacts on air quality and storm water runoff must be taken into account.

Stringent property line particulate air emission limits must be met for all abrasive blasting operations, whether at Austin properties or at a job site.

To qualify abrasive blasting or cleaning at a stationary location for a permit by rule, the following criteria must be met:

(1) enclosed abrasive cleaning:

  (a) the particulate matter emissions are evacuated through a fabric filter with a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with air cleaning; and

  (b) there are no visible fugitive emissions from the facility;

  or

(2) outside blast cleaning:

  (a) abrasive usage rate will not exceed 150 tons per year, 15 tons per month, and one ton per day; and

  (b) the blast cleaning is performed at least 500 feet from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located; and

  (c) records will be maintained of operating hours and abrasive material usage; and

  (d) before construction begins, the facility is registered with the TCEQ Office of Air Quality in Austin using Form P1-7 (TCEQ 10228) in the

Exhibits and Forms section of this manual, including a current Table 20 available from your company SHE direction; Instructions are available at http://www.tceq.state.tx.us/cgi-bin/comm_exec/forms.pl

(e) and, before construction of the facility begins, written site approval must be received from the TCEQ.

If a proposed stationary abrasive blasting operation does not meet each of these criteria, or if you are not sure if all criteria will be met, contact your company SHE Director for further guidance, including how to obtain an air permit.

Local governments often have additional requirements, which must be considered before initiating abrasive blasting.

Blast cleaning equipment using a suspension of abrasives in water qualifies for a permit by rule.

Applicable Texas regulations: 30 TAC § 106.451, 30 TAC § 106.452.

b. Concrete Batch Plants

(1) Permit by Rule

Prior to September 1, 2000, concrete batch plants had at least two possible permits by rule by which to obtain authorization for their air emissions. Plants that had registered with the TCEQ, were constructed prior to that date, that continued to operate with the same equipment, and that comply with the permit by rule continue to maintain that authorization for their air emissions.

(2) Standard Permit

Facilities constructed, including those that were moved, after September 1, 2000, are required to comply with the requirements for a Standard

Permit or to seek an operating air permit. The primary requirements to qualify for this Standard Permit are:

(a) Administrative Requirements

(i) The facilities shall be registered in accordance with 30 TAC § 116.611.

(ii) Registration applications shall also comply with 30 TAC § 116.614 "Standard Permit Fees".

(iii) No owner or operator of a concrete batch plant shall begin construction and/or operation without obtaining written approval from the TCEQ. Construction must commence within 18 months of written approval from the TCEQ.

(iv) Records shall be maintained on-site of:

(a) production rates for each hour of operation which demonstrate compliance; and

(b) production and other records as required shall be kept for the lesser of either the most recent rolling 24-month period or the duration of operation at a given site.

(b) Public Notice

Unless the facility is to be a temporary concrete plant, as defined in paragraph five of the permit, which is located in, or contiguous to, the right-of-way of a public works project, public notice must be conducted, and sign posting must be performed.

(c) Specific Standard Permit Requirements

(i) Maximum allowable production is 300 cubic yard per hour.

(ii) All cement/flyash silos and weigh hoppers must be equipped with a fabric or cartridge filter system, and all suction shrouds must be maintained and operated with no tears or leaks.

(iii) Fabric filter and collection systems must meet or exceed a standard of 0.01 g/dscf outlet grain loading. These systems, as well as mixer loading and batch truck loading emission control devices, must have no visible emissions for any 30 second measurement period. Night loading and unloading must be done under illuminated conditions.

(iv) Conveying systems must be totally enclosed, operated properly, with no tears or leaks. These systems must have no visible emissions for any 30 second measurement period.

(v) Bulk storage silos must be equipped with warning devices to notify the plant when overloading may impair a pollution control device, or will cause visible emissions.

(vi) All in-plant roads must be watered, treated with dust-suppressant chemicals, covered with a material such as roofing shingles or tire chips, or paved with a cohesive hard surface that is maintained intact and cleaned.

(vii) All stockpiles must be sprinkled with water, dust-suppressant chemicals or covered as necessary to achieve control of dust emissions.

(viii) Registration of the facility with TCEQ, including payment of applicable fees, is required before construction of the facility begins. Public notice requirements apply, and will precede TCEQ approval of the Standard Permit.

(ix) Substantial recordkeeping and records retention requirements apply.

(3) Specialty Concrete Batch Plants

There are additional requirements applicable to specialty batch concrete, mortar, grout mixing and pre-cast concrete plants.

(a) Site production is limited to no more than 30 cubic yards per hour, unless the cement/flyash (weight hopper is vented inside the batch mixer).

(b) Batch mixer feed-related dust emissions must be controlled, by either a spray device that eliminates visible emissions, a pickup device delivering air to a fabric or cartridge filter, enclosing the batch mixer, or conducting the entire mixing operation inside an enclosed process building.

(c) The site must be bordered by a dust preventative 12-foot high fence or other barrier along all traffic routes within 25 feet of the boundary, or vehicles may not be operated within that 25 foot area, except to enter and exit the site.

(4) Temporary Concrete Batch Plants

Temporary (less than 180 days) and permanent concrete batch plants have additional requirements. A plant is also deemed temporary if it supplies concrete to a single public works project.

(a) Site production is limited to no more than 30 cubic yards per hour.

(b) Truck drop and mixing point dust control requirements are dependent on duration of the project, and production rates.

(c) Distance requirements for single public project-dedicated plants are:

(i) Suction shroud exhaust and truck drop point: at least 100 feet from any property line.

(ii) Truck drop point at facilities with a water fog dust suppressant system: 300 feet from any property line.

(iii) Stationary stockpiles: 25 feet for production equal to or less than 200 cubic yards per hour; 50 feet for production over 200 cubic yards per hour.

(iv) If 12-foot fencing is installed at the property boundary, and if stockpiles within 25 feet of the boundary are contained in a three-walled bunker that extends over two feet above the top of the stockpile, b. and c. do not apply.

(d) In lieu of the TCEQ registration described in item 8, above, a temporary plant located in a right-of-way and supplying concrete to that public works project may register with the Regional TCEQ office and local air pollution control authority, if any.

If you are uncertain whether a concrete batch plant satisfies the Standard Permit requirements, contact your company SHE Director for further guidance and assistance.

Applicable state law and regulations	Health and Safety Code, Section 382.05195 Air Quality Standard Permit for Concrete Batch Plants (July, 2003).

c. Hot Mix Asphalt Plants

(1) Permit By Rule

Air emissions from hot mix asphalt plants that obtained a permit by rule and met the requirements below prior to October 31, 2003 are authorized

to continue operating under that permit by rule so long as they continue to meet these requirements.

(2) Standard Permit

If a hot mix asphalt plant fails to meet Permit by Rule requirements, it must seek and obtain a Standard Permit for its air emissions. The specific requirements to qualify for this Standard Permit are:

(a) Fuel for dryers must be sweet natural gas, liquid petroleum gas, diesel, or fuel oil or reclaimed industrial oil with a maximum sulfur content of 0.6% that also satisfies certain other technical requirements.

(b) All stockpiles must be sprinkled with water and/or dust-suppressant chemicals as necessary to achieve maximum control of dust emissions.

(c) The plant must be located a minimum distance from its property line and a minimum distance from a concrete batch plant and rock crusher on the same site. Distance requirements are dependent on hours of operation, production rate and other factors.

(d) Registration of the facility with TCEQ is required before construction of the facility begins.

(e) Satisfaction of applicable NOx, VOC, PM, visible emissions and emission offset requirements.

(f) Aggregate materials received at one plant may not be transported for use at another plant.

(g) Drum dryer temperature cannot exceed 325°, except when crumb rubber is used, in which case the maximum allowed temperature is 375°. The drum dryer exhaust must be vented and controlled by a

fabric filter baghouse. Lime and mineral fillers must be vented and controlled by a fabric filter baghouse, and in addition, an overfill warning device is required. Fabric filters must meet specific technical performance standards.

(h) There are specific maximum allowable concentrations of liquid amine anti-strip agents (2% wt.), styrene-butadiene-styrene (10% wt.), styrene-butadiene rubberized latex (6% wt.), and RAP (50 % displacement).

(i) The plant is prohibited from operating more than one truck load out point at any time.

(j) Substantial recordkeeping and records retention requirements apply.

(k) New Source Performance Standards, as applicable, must be satisfied. These include NSPS subparts A, I, K, Ka and Kb.

(l) Stack sampling is mandatory.

(3) Temporary Hot Mix Asphalt Plants

In addition, there are specific requirements applicable to temporary (less than 180 days) and permanent hot mix asphalt plants. A plant is also deemed temporary if it supplies asphalt to a single public works project. The additional requirements for temporary plants are:

(a) The permit covers only cold feed bins, transfer conveyors, aggregate screens, counter/parallel flow drum, RAP feed bin, RAP conveyor, 90,000 gallon or less total asphalt binder storage in no more than three tanks, three hot mix surge bins/storage silos, 90,000 gallon or less total fuel oil storage in no more than three tanks, liquid anti-strip tank, RAP breaker/crusher, release agent application facility, lime storage silo, mineral filler silo and fines storage silo.

(b) In lieu of the TCEQ registration described in item 4, above, a temporary plant located in a right of way and supplying asphalt to that public works project may register with the Regional TCEQ office and local air pollution control authority, if any.

(c) Alternate distance requirements apply in lieu of those described in item 3.

(4) Fixed Plants

The additional requirements for permanent plants are:

(a) The permit covers only cold feed bins, transfer conveyors, aggregate screens, counter/parallel flow drum, RAP feed bin; RAP conveyor, 90,000 gallon or less total asphalt binder storage in no more than three tanks, three hot mix surge bins/storage silos, 90,000 gallon or less total fuel oil storage in no more than three tanks, liquid anti-strip tank, RAP breaker/crusher, release agent application facility, lime storage silo, mineral filler silo and fines storage silo.

(b) All entry and exit roads and main traffic routes must be paved with a cohesive hard surface and cleaned via water truck or vacuum truck.

(c) Hot mix plants using crumb rubber have additional stack sampling requirements.

Applicable federal regulations	40 CFR § 60 (Subparts A,I, K, Ka and Kb) EPA New Source Performance Standards.
Applicable state law and regulations	Health and Safety Code, Section 382.05195 Air Quality Standard Permit for Hot Mix Asphalt Plants (July, 2003). 30 TAC § 116 Subpart F.

d. Asphalt Silos

The permit by rule is available for any silo used to store hot mix asphalt or asphalt emulsion concrete mixtures. There is no Standard Permit available.

(1) Permit by Rule Requirements

(a) no cutback asphalt mixtures are stored;

(b) for silos on location for more than six months, all truck traffic areas are paved and cleaned as necessary to achieve maximum control of dust emissions and for those silos on location for six months or less, the truck traffic areas are sprinkled with water as necessary to achieve maximum control of dust emissions;

(c) fuel used for heating the silo is sweet natural gas as defined by TCEQ, liquid petroleum gas, first run refinery grade diesel, or Number 2 fuel oil that is not a blend containing waste oils or solvents and that contains less that 0.5% by weight sulfur;

(d) the silo(s) is located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the silo(s) is located;

(e) before construction begins, written TCEQ site approval must be sought by TCEQ registration and received.

Applicable Regulation: 30 TAC § 106.433.

e. Spray Painting/Coating

Spray painting operations are eligible for a permit by rule but no Standard Permit is available. If you are uncertain about any of these criteria or whether your planned activity will meet them, contact your company SHE Director for further guidance and assistance:

(1) Permit by Rule

(a) Good housekeeping procedures to minimize emissions must be implemented, including the following.

(i) All spills must be cleaned up immediately.

(ii) The booth or work area exhaust fans must be operating when cleaning spray guns and other equipment.

(iii) All new and used coatings and solvents must be stored in closed containers. All waste coatings and solvents must be removed from the site by an Austin authorized disposal service.

(b) Drying or curing ovens must either be electric or meet the following conditions:

(i) The maximum heat input to any oven must not exceed 40 million British thermal units per hour (Btu/hr).

(ii) Heat must be provided by the combustion of one of the following: sweet natural gas; liquid petroleum gas; fuel gas containing no more than 5.0 grains of total sulfur compounds (calculated as sulfur) per 100 dry standard cubic foot; or Number 2 fuel oil with not more than 0.3% sulfur by weight.

(c) No add-on control equipment may be used to meet emissions limits. The total uncontrolled emissions from the coating materials (as applied) and cleanup solvents must not exceed the following for all operations at a site:

(i) 25 tons per year (tpy) of volatile organic compounds (VOC) and 10 tpy of exempt solvents for all surface coating and stripping operations at site;

(ii) 30 pounds per hour (lb/hr) of VOC and 5.0 lb/hr of exempt solvents for all surface coating and stripping operations covered by this section at a site;

(iii) If emissions are less than 0.25 lb/hr of VOC and/or exempt solvents, a facility is exempt from the remaining requirements.

(iv) Opacity of visible emissions must not exceed 5.0 percent. Compliance must be determined by the United States Environmental Protection Agency Method 9 averaged over a six-minute period.

(2) Indoor Surface Coating

The following conditions apply to surface coating operations performed indoors, in a booth or in an enclosed work area:

(a) No more than six lb/hr of VOC emissions, averaged over any five-hour period, and 500 pounds per week per booth or enclosed work area.

(b) Minimum face velocity at the intake opening of each booth or work area is 100 feet per minute (ft/min). Emissions must be exhausted through elevated stacks that extend at least 1.5 times the building height above ground level. All stacks must discharge vertically, and rain protection must not restrict or obstruct vertical flow.

(c) For spraying operations, emissions of particulate matter must be controlled using either a water wash system or a dry filter system with a 95 percent removal efficiency as documented by the manufacturer. The face velocity at the filter must not exceed 250 ft/min or that specified by the filter manufacturer, whichever is less. Filters must be replaced when the pressure drop across the filter no longer meets the manufacturer's recommendation.

(3) Non-Enclosed Area Surface Coating

For surface coating operations in a non-enclosed work area, or the indoor operations that do not meet certain other conditions, the following conditions apply:

(a) No more than six lb/hr of VOC emissions, averaged over any five-hour period, and 500 pounds per week may be emitted at any time for all operations under this paragraph.

(b) If coatings applied with spray equipment contain more than 9.1 percent by weight of chromates, lead, cadmium, selenium, strontium, or cobalt, then total VOC emissions must be further limited to 240 pounds per week and 2,000 pounds per year. If coatings are applied with non-spray equipment (such as brushes, rollers, dipping or flow coating), these additional restrictions do not apply.

(c) Coating operations must be conducted at least 50 feet from the property line and at least 250 feet from any recreational area, residence, or other structure not occupied or used solely by the owner or operator of the facility or the owner of the property upon which the facility is located.

(d) Before construction of the facility begins, written site approval must be received from the appropriate regional office of the TCEQ and any local program having jurisdiction.

(4) Recordkeeping

The following records must be maintained at the plant site for the most recent 24 months and be made immediately available to the TCEQ or any pollution control agency with jurisdiction:

(a) Material safety data sheets for all coating materials and solvents;

(b) Data of daily coatings and solvent use and the actual hours of operation of each coating or stripping operation;

(c) A monthly report that represents actual hours of operation each day, and emissions from each operation in the following categories;

(i) pounds per hour;

(ii) pounds per day;

(iii) pounds per week; and

(iv) tons emitted from the site during the previous 12 months;

(d) examples of the method of data reduction including units, conversion factors, assumptions, and the basis of the assumptions.

A form for this purpose is the Exhibits and Forms section of this manual (page 141).

(5) Before construction begins, the facility must be registered with the TCEQ.

Austin policy prohibits surface coating operations that are performed outdoors, unless approval from the Corporate SHE Director is first obtained.

Applicable Texas regulations: 30 TAC § 106.150 (2002).

3. Outdoor Burning

It is against Austin's policy to burn any materials or wastes outdoors. Texas air quality regulations prohibit outdoor burning, with very few exceptions and only one that might apply to Austin's business. This one exception is very limited: in general it is for on-site burning of trees, brush and other plant growth from and for right-of-way maintenance, land clearing and water canal maintenance, but only if there are no other practical alternatives. If you believe

that outdoor burning is necessary to your project, contact your company SHE Director at least five days in advance of starting a proposed burning operation.

C. Lime/Cement Application

These materials should be pelletized or put down as a slurry unless contract specifications require otherwise. Hand wash and eyewash stations are recommended during lime/cement applications.

It is Austin's policy to maintain a clean, neat and orderly project site at all times. When work is completed and periodically throughout the project, all surplus materials, scrap and trash must be removed and the site must be restored to the conditions required by our prime contract. Employee-owners should be trained in good housekeeping practices.

Company vehicles and equipment with more than minor fluid leaks must be shut down and taken out of service until repairs are made.

D. LEED Indoor Air Quality Management Plan

If required by contract on a LEED project, Austin must provide and implement an Indoor Air Quality Management Plan. Contact your SHE Director for further guidance if there is a contract requirement. Also see appropriate LEED reference guide for requirements. LEED Contact: Nicole Heinle at (214) 443-5507.

E. Waste Management

It is an Austin practice to create as little waste as our operations reasonably permit, and to recycle as much of the waste our operations do create as possible. Such actions minimize our impact on the natural environment. It is to our business advantage as well. Waste generation, transportation and disposal each have costs associated with them, as the state also collects fees of various types. Waste disposal also creates long-term risk management issues. All of these costs, as well

as insurance premiums are reflected in our project costs, our market competitiveness and our overall business success.

Generally speaking, Austin's business exposes it to two potential kinds of waste issues: 1) wastes that pre-exist Austin's arrival at a property, and 2) wastes that are created by Austin's operations.

Wastes that pre-exist Austin's arrival at a property should routinely be identified as part of the Environmental Site Evaluation described in Section I.A. (page 18) of this manual. Such wastes should be addressed directly with the property owner or customer.

However, for a variety of reasons, wastes that pre-exist Austin's arrival at a property may be discovered at some time during Austin's operations at the site. It is strictly against Austin's policy for Austin to handle or clean up wastes that pre-exist our arrival at a property, including off-site transportation and disposal. Such wastes, including debris from the handling of lead-based painted structural beams, should be addressed directly with the property owner or customer.

Austin's standard form prime contract provides Austin with the right to stop work in the event of such a discovery. That right should be exercised without exception.

Austin's standard form subcontract states that the subcontractor shall keep its waste separate from that produced by Austin's operations and shall manage it on its own in accordance with all applicable laws and regulations. It is the responsibility of Austin's Project Superintendent to assure that waste generated by subcontractors' operations, except Class 2 and Class 3 non-hazardous waste (page 224), as defined in the Glossary in this manual, are not mixed or disposed with the wastes Austin generates.

1. Environmental Event: Emergency Spill Procedures

Despite our individual and collective efforts to avoid environmental emergencies arising from Austin operations, it is possible that they will occur. An organized approach, as may be described in the site's Spill Prevention, Control and Countermeasure Plan, is necessary to deal with them. Initial steps must begin immediately after such an event by operations and/or through the use of environmental consultants.

Examples of Environmental Events

- Cutting or ripping into underground transmission lines releasing product.
- Rupture or spill from tanks or vessels containing chemicals considered pollutants or hazardous materials.
- Discovery of pollutants or hazardous materials on property owned and/or utilized by Austin, such as abandoned underground storage tanks, buried 55-gallon drums, released chemicals from adjacent properties, etc.
- Construction materials washing into storm water systems, drainage ditches, sewer systems, etc. (lime, diesel, hydraulic fluids, etc.)
- Unauthorized persons' (vandals) conduct relating to disposal of construction chemicals or materials.
- Regulatory inspections, audits or investigation of complaints.

Additional assistance must be requested from the environmental specialists shown on the following table who will provide technical assistance to deal with regulatory agencies, determine liability issues and assist with public and media relations.

ENVIRONMENTAL EMERGENCY CONTACTS

***First - Call your Austin "Safety, Health & Environmental" Contact (one of the below)**			
Name	**Work #**	**Home #**	**Cell #**
P.D. Frey	214/443-5618	214/823-2846	214/598-7319
James Richardson		817/558-3055	214/598-7311
Jessy Cole	214/443-5764	817/561-9943	214/202-5141
Don Blair	214/443-5571	817/561-0984	214/957-2888
Michael Morris	713/640-8473	281/240-5542	713/305-2580
Jim Harbor	214/596-7330		214/458-4889
***Second - They will Contact the "Legal Contacts" - in the sequence listed below**			
Howard Gilberg	214/692-7121	214/369-1073	214/392-5230
Joe Guida	214/692-0014	972/980-7463	214/534-2233
Steve Doyle	214/443-5758	214/732-7356	214/385-7835
Charles Hardy	214/443-5575	214/352-8810	214/546-9056
***Third - Consultants will be contacted with "Legal's" Approval**			
David Shiels	972/962-8112	972/962-8112	214/577-5987
Kenneth Tramm	817/429-6692	817/431-4948	817/690-4356
Susan Alford	281/589-0898 ext. 17	979/548-8009	979/482-3649

These procedures apply to: 1) a spill; 2) imminent and substantial threat to human health and the environment; or 3) a release of hazardous materials.

All employees should evacuate the immediate area of a spill and the supervisor at the scene should notify their Safety, Health, and Environmental Director (SHE). If emergency assistance is needed, call 911 or other local emergency number. The SHE, with assistance of the supervisor at the scene, will determine the proper response and will jointly notify the appropriate emergency response authorities if they have not already been dispatched.

Whenever there is an imminent or actual emergency situation (a spill, release, fire, or explosion), **the SHE Director will:**

1. Notify legal counsel to determine reporting responsibilities;
2. Contact P.D. Frey and/or Paul Hill and update them on the situation;
3. Notify appropriate state or local agencies with designated response roles, if their help is needed or if the spill is greater than a reportable quantity – if directed by counsel or approved consultant;
4. Evaluate whether or not the emergency can be rapidly controlled and contained;
5. Identify the character, source, amount, and extent of any released materials using:

   (a) Observation,

   (b) Facility records or manifests,

   (c) Chemical analysis, and

   (d) Material Safety Data Sheets (MSDS).

6. Assess possible hazards to human health or the environment both at the facility and outside of the facility. Consideration will be given to both direct

and indirect effects. The SHE and the site supervisor will, under the direction of legal counsel and with consultation of an Austin approved consultant:

(a) Evacuate personnel from the affected area.

(b) Put on appropriate protective gear (boots, gloves, face shield, etc.).

(c) Contain the source of the emergency by applying control measures, such as dikes, absorbents, neutralizers, etc.

(d) Coordinate cleanup.

(e) Coordinate proper disposal of the material.

(f) Implement strategies to prevent reoccurrence;

7. If the SHE determines the release is in a quantity equal to or greater than the reportable quantity as defined in 40 CFR § 302.4 or 30 TAC § 327.4 (see TCEQ spill regulations below) in any 24-hour period, specific notification is required. In accordance with 30 TAC § 327.4, a reportable quantity (RQ) is defined as follows:

Crude Oil and Non-Refined oil:

Spills or discharges onto land: RQ = 210 gallons

1. Spills or discharges into waters of the state: RQ = quantity sufficient to create a sheen

Petroleum Products (gasoline, diesel, motor oil) and Refined oil:

Spills or discharges onto land: RQ = 25 gallons

2. Spills or discharges into waters of the state: RQ = quantity sufficient to create a sheen

Hazardous Substances:

Spills or discharges onto land: RQ = as reported in Table 302.4 in 40 CFR § 302.4

Spills or discharges into waters of the state: RQ = as reported in Table 302.4 in 40 CFR § 302.4 except where Final RQ is greater than 100 pounds in which case the RQ shall be 100 pounds.

Examples of "Reportable Quantities" (CRQ)

On Land

• Petroleum products	25 gallons
• Sodium Hypochlorite (Lime)	100 lbs
• Anti-freeze (ethylene glycol)	1 gallon
• Mercury	1 lb
• Sulfuric acid	1,000 lbs
• Toluene	1,000 lbs
• Lead	10 lbs

On Water

• Petroleum products	Sheen
Other products	greater than 100 lbs.

8. **The SHE must notify** an approved emergency response company to clean up the spilled material. Furthermore, the SHE may also have to notify the following:

Regulatory Contacts

National Response Center (Coastguard)	1-800-424-8802;
State Emergency Response Center	1-800-832-8224;
TCEQ Regional office; and	
TCEQ 24-hour spill reporting number	(512) 463-7727

NOTE: Notifications to the TNRCC should be made as soon as possible, but not later than 24 hours after the discovery of the spill or discharge. Verbal and/or written follow-up notifications may be required to satisfy the notification requirements identified in 30 TAC 327.3 (Notification Requirements). See Notification Data Sheet in Exhibits and Forms section (page 179).

9. The phone report must include:

   (a) The name, address and telephone number of the person making the telephone report;

   (b) The date, time, and location of the spill or discharge;

   (c) A specific description or identification of the oil, petroleum product, hazardous substances or other substances discharged or spilled;

   (d) An estimate of the quantity discharged or spilled;

   (e) The duration of the incident;

   (f) The name of the surface water or a description of the waters in the state affected or threatened by the discharge or spill;

   (g) The source of the discharge or spill;

   (h) A description of the extent of actual or potential water pollution or harmful impacts to the environment and an identification of any environmentally sensitive areas or natural resources at risk;

   (i) if different from paragraph (1.) of this subsection, the names, addresses, and telephone numbers of the responsible person(s) and the contact person at the location of the discharge or spill;

   (j) A description of any actions that have been taken, are being taken, and will be taken to contain and respond to the discharge or spill;

   (k) Any known or anticipated health risks;

   (l) The identity of any governmental representatives, including local authorities or third parties, responding to the discharge or spill; and

   (m) Any other information that may be significant to the response action;

10. If the SHE's assessment determines that the emergency could threaten human health or the environment outside the facility, the SHE will report the findings as follows:

    (a) If evacuation is advisable, the SHE will immediately notify the appropriate local authorities. He will be available to help the authorities decide whether evacuation is necessary.

    (b) The SHE must notify the National Response Center (800-424-8802). The report must include:

        (1) Name and telephone number of reporter;

        (2) Name and address of the facility;

        (3) Time and type of incident (release, fire, explosion);

        (4) Name and quantity of materials involved;

        (5) Extent of any injuries; and

        (6) Possible hazards to human health or the environment outside the facility;

11. The SHE will take all reasonable measures to ensure that fires, explosions, and releases do not occur, recur, or spread to other areas at the facility. These measures may include stopping processes and operations, collecting and containing released waste, and removing or isolating containers;

12. If the facility stops operations in response to a fire, explosion, or release, the SHE must monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate;

13. Following any emergency, the SHE will provide for treating, storing, or disposing of recovered waste, contaminated soil, contaminated surface water, or any other material resulting from a release, fire, or explosion at the facility;

14. In the affected areas of the facility, the SHE will ensure that:

    (a) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed.

    (b) All emergency equipment listed in this contingency plan is cleaned and fit for its intended use before operations are resumed;

15. The owner or operator must notify the Regional Administrator, and appropriate State and local authorities, that the facility is in compliance with paragraph 11 before operations are resumed in the affected area of the facility;

16. The owner or operator must note, in the facility's operating record, the time, date, and details of any incident that requires implementing this Emergency Plan. Within 15 days after the incident, a written report must be submitted to the Regional Administrator that includes:

    (a) Name, address, and telephone number of the owner or operator;

    (b) Name, address, and telephone number of the facility;

    (c) Date, time, and type of incident;

    (d) Name and quantity of material(s) involved;

    (e) The extent of injuries, if any;

    (f) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

    (g) Estimated quantity and disposition of recovered material that resulted from the incident and copies of manifests;

17. Facilities have additional notification and reporting requirements under 40 CFR § 112 for spill events meeting the following criteria:

(a) The spill results in a discharge of more than 1,000 gallons of oil into or upon the navigable waters of the U.S. or adjoining shorelines in a single spill event, or

(b) The spill discharges oil in harmful quantities, as defined in 40 CFR part 110, into or upon the navigable waters of the U.S. or adjoining shorelines in two spill events, reportable under section 311(b)(5) of the Federal Water Pollution Control Act (FWPCA), occurring within any twelve-month period.

18. Facilities such as asphalt or concrete batch plants (permanent or mobile) have additional notification and reporting requirements under 30 TAC § 305 where spill events must be recorded and filed with their facility Texas Storm Water Pollution Prevention Plan (SWPPP).

Applicable federal regulations:	40 CFR Part 302.4 and Table 302.4 40 CFR Part 110 40 CFR Part 112
Applicable Texas regulations:	30 TAC § 327 30 TAC § 305 (New Rules dated August 20, 2001)

The operating company SHE Director, in turn, will involve the environmental attorney and/or environmental consultants(s) as necessary. A Master Service Agreement (MSA) is in place for the use of an environmental consultant for such situations. The operating company SHE Director will proceed to the scene of the occurrence, if necessary, as soon as possible, to assist operations with containment, safety and health protection and clean-up operations as needed.

- The operating company SHE Director or the most senior operations person on-site will be responsible for notification of the operating company President.
- The operating company SHE Director or the operating company environmental liaison will be responsible for government notification, to the extent required.

- The operating company President will be notified of the occurrence and kept advised of the situation as it develops.
- Corporate counsel, Risk Manager, Claims Adjuster and the corporate Communications department will be notified and their assistance requested to the extent required by the situation. Any appropriate person can handle notification of these departments, but the responsibility to ensure it is done rests with the operating company SHE Director and the operating company environmental liaison.
- Subsequent to the occurrence, meetings will be conducted as needed to ensure deliberation of alternatives, regulatory compliance, cost effective remediation and legal implications.
- All final recommendations will require the operating company President's approval. Operations will then carry out the approved recommendations.

Applicable federal regulations: 40 CFR, Chapter 1, part 117.3.

2. Austin's Approved Environmental Consultants

Austin will use only an Austin pre-approved environmental consultant to assist with emergency events. An environmental consultant is approved for these events only if it has executed a Master Environmental Services Agreement with Austin and our environmental attorney. The operating company will be expected to perform activities under the terms and conditions of this agreement, in the following cases:

1. The purchase or sale of properties that require the preparation or review of an Environmental Site Evaluation.
2. In any event that results in release of a "Reportable Quantity" to the environment or has the potential to become a Reportable Event.

3. On any air, water or other permit activity that will or may require public comment.

3. Approved Waste Disposal Vendors

The following sites are approved for use by Austin operations for the wastes listed with them:

Shiels Engineering, Inc. P O Box 1193 Kaufman TX 75142 Contact: David Shiels Phone: (972) 692-8112 Cell: (214) 577-5987 david@shielsengineering.com	Asbestos Project Managment, Spill clean-up, mold remediation
Kleinfelder Environmental 6850 Manhattan Blvd, Suite 300 Ft Worth TX 76120 Contact: Kenneth Tramm Phone: (817) 429-6692 Cell: (817) 429-7869	Approved for any environmental consultant activities
Resource Environmental Consulting, Inc. 13101 Preston Road, Suite 300 Dallas TX 75240 Contact: Dyana Lee Phone: (972) 385-4535	Approved for asbestos and mold consulting only
IAQ Consultants, Inc. 190 W. Northwest Pkwy, Suite C Southlake TX 76092 Contact: Robert Garrison Phone: (817) 481-6280	Approved for asbestos and mold investigation and consulting only
Southwest Geoscience 2351 W. Northwest Hwy., Suite 3321 Dallas TX 75220 Contact: Darren Bowden Phone: (214) 350-5469	Approved for asbestos consulting only

Safety Kleen 2130 E. Grauwyler Irving TX Phone: (972) 438-4080	Approved for parts cleaners only (Austin contact: J. Richardson)
Safety Kleen 1722 Cooper Creek Road Denton TX 76208 Phone: (940) 483-5200	Approved for parts cleaners only (Austin contact: J. Richardson)
BFI Itasca Landfill 2559 FM 66 Itasca TX 76055 Phone: (817) 687-2511	Approved for petroleum contaminated soils; Class 2 and Class 3 wastes (Ronnie L. Daniel, Landfill Manager and Billy Jenkins, Sales Rep)
Sand Trap Services of Fort Worth d/b/a Cold Springs Processing P.O. Box 1823 Fort Worth TX 76101 Phone: (817) 877-5800	Approved for wash rack liquids and sludges only (Austin contact: J. Richardson)
Effective Environmental, Inc. 2515 S. Beltline Rd. Balch Springs TX 75181 Phone: (972) 329-1200	Approved for transporting waste
USA Environment LP P.O. Box 87687 Houston TX 77287 Contact: Carl Tragesser Phone: (713) 425-6900	Approved for hazardous wastes and non-hazardous wastes (Austin contact: J. Richardson)
Heritage-Crystal Clean 9360 Wallisville Road Houston TX 77013 Phone: (713) 674-7404	Approved for sludge transportation
Flex Oil Services, LLC 16514 DeZavala Road Channelview TX 77530 Phone: (281) 862-2900	Approved for waste oil, used oil filter transportation and disposal

BFI San Antonio Landfill 7000 East IH-10 San Antonio TX 78219-4802 Phone: (210) 661-7558	Approved for petroleum contaminated soils; Class 2 and Class 3 wastes
USA Environment LP 11 NAFTA Circle New Braunfels TX 78132-4906 Phone: (830) 624-8723	Approved for hazardous wastes and non-hazardous wastes (Austin contact: J. Richardson)
Resource Concepts, Inc. 2940 Eisenhower St., Suite 100 Carrollton TX 75007 Phone: (972) 245-3121	Approved for computer recycling
Liquis, Inc. 400 Parker Dr., Suite 1110 Austin TX 78728 info@liquis.com http://www.liquis.com/	Approved for computer recycling
Keith Bradley KBA EnviroScience, Inc. 101 E. Southwest Parkway Suite 114 Lewisville TX 75067 Phone: (972) 436-9669 Cell: (214) 995-2119 kbradley@kbaenv.com http://www.kbaenv.com	Approved for wetland determination and coastal water quality issues
Out of Texas	
Southwest Regional Landfill Buckeye AZ	Approved for non-hazardous waste disposal only
Butterfield Station Facility Phoenix AZ	Approved for non-hazardous waste disposal only
Clean Harbors 309 American Circle El Dorado AR	Approved for hazardous waste disposal only
Life Span Technology Recycling 8616 G Street Omaha NE 68127 Phone: (888) 720-0900	Computer recycling

4. Waste Identification and Classification

Austin must manage wastes that are created by Austin's operations in accordance with all applicable laws and regulations. Whenever our operations include the movement of materials off a property, state and federal environmental laws obligate Austin to determine whether the material is the company's responsibility, and if it is, to handle it as legally required. Except where our contract with the property owner specifically states otherwise, if our actions create a waste, we should conclude that we have responsibility for that waste.

In each such situation, the law requires us to determine whether the material we generate is a "waste". "Waste" includes any garbage, rubbish, refuse, or other spent or discarded material, including demolition debris. Unless a material that would otherwise be a waste qualifies for the exception described below, it is to be considered a waste and Austin is required to classify, handle, transport and dispose of that material in accordance with all applicable laws and regulations.

a. Soils Management: Exception from Waste Regulations

There is an exception in Texas from the definition of what is a "waste," for "soil, dirt, rock, sand and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements." This exception does not apply if such materials are contaminated with, for example, lead-based paint or petroleum products.

In order to make use of this exemption, these exempted materials must only be deposited at sites where construction is in progress or is imminent, and only for the specific purpose of making the land suitable for construction. Such actions shall only be done with the advance knowledge of the customer of the land from which the material is being taken and with the advance knowledge of the owner of the land to which the material is being taken.

Example documents that may be used for these purposes are found beginning with the Affidavit and Bill of Sale for Fill Materials Form (pages 135-136) in the Exhibits and Forms section of this manual.

b. Waste Regulations

If Austin's operations generate a waste, whether from construction, industrial manufacturing or commercial operations, Austin is obligated to classify it, either by "process knowledge," or by having it tested. Once a waste has been classified, its proper method of transportation and its place of disposal can be determined. It is Austin's policy to dispose of waste generated by our operations only at an approved waste disposal vendor location identified in this manual. See Approved Vendors on pages 79-81. In addition, classification of wastes is an important part of determining recordkeeping and reporting requirements.

If a waste is pre-existing at a property, the property owner is obligated to classify and manage it. It is strictly against Austin's policy for Austin to handle wastes that pre-exist its arrival at a property, or wastes generated by someone else, including on-site handling and off-site transportation and disposal.

Waste generated by an Austin subcontractor should be classified by the subcontractor, per our standard form subcontract.

Wastes are classified by governmental regulations into two broad categories: "hazardous" waste and "non-hazardous" waste. Within these two broad categories are subcategories. Much debris from the demolition of buildings is classified as Class 2 or Class 3 non-hazardous waste in Texas. However, the presence of lead-based paint or other contaminants on some demolition debris could, depending on test results, change the classification of that debris to a Special Waste, Class I non-hazardous or to hazardous waste.

Each waste that our operations generate must be identified by an eight-character Texas waste code, unless it is generated on a one-time basis. This code contains the waste's classification, and also information about its origin and general nature. For one-time shipments, contact your company SHE Director.

For each Austin manufacturing site or yard, these waste codes are reported to the State of Texas and maintained in a Notice of Registration. If a new waste is to be generated, a new waste code must first be obtained and the Notice of Registration must be concurrently updated.

Hazardous waste can only be sent to a regulated and permitted hazardous waste facility. A manifest must accompany all hazardous waste and Class I non-hazardous waste that is shipped off site. Almost no hazardous waste is allowed to be disposed on land or in a landfill. Special paperwork must accompany shipments of hazardous waste. Annual reports may be required.

It is Austin's policy to dispose of hazardous and Class 1 non-hazardous waste generated by our operations only at a waste disposal vendor location identified in this manual. (Approved Vendors pages 79-81)

Special packaging, labeling and marking requirements apply to shipments of hazardous waste and Class I non-hazardous waste.

It is the responsibility of the Austin Project Superintendent to assure compliance with these requirements.

Waste generation, transportation and disposal each have fees associated with them, and the state also collects fees of various types. Waste disposal also creates long-term risk management issues. All of these costs, as well as insurance premiums should be reflected in each project bid.

It is Austin's policy that Austin personnel will not sign manifests, arrange for, perform transportation of, or disposal of hazardous waste.

5. Waste Reporting: Notice of Registration (NOR)

Austin's strong preference is that all waste created by Austin's operations are deemed by contract the wastes of the customer, and that the customer arranges for their off-site handling in its own name. This practice is most readily accomplished in advance of the creation of the waste. This practice minimizes Austin's record keeping requirements, fees and legal exposures.

If wastes created by Austin's operations are not designated as the wastes of the customer in a contract or other legal document, the wastes generated by our operations are the legal responsibility of both Austin and the site owner or operator. Therefore, it is in both parties' interest to ensure that the waste is managed in such a way that spills and other problems are prevented. It is Austin's preference that the site owner or operator -- as opposed to Austin -- be designated as the "lead generator" of that waste and is thus responsible for placing the appropriate waste codes on its own Notice of Registration (NOR). The site owner or operator is then responsible for generator fees. If the site owner or operator is so designated, there is no need for Austin to have its own NOR for that waste or to pay generation fees for that waste. In this situation, Austin should ensure that contract terms are clear that the site owner or operator is the "lead generator" and is responsible for NOR filings and generation fees for the waste that Austin creates at that site.

Another, less desirable option is that Austin is designated as the "lead generator" of waste our operations produce at a job site. In this case, the appropriate waste codes need to be added to Austin's own Notice of Registration (NOR), or a one-time waste code, if legally available, can be used. In this situation, on Austin's NOR, Austin's own yard would be identified as the "generating site." On the

portion of the Initial Notification form asking for the facility's business description, it should be noted that Austin is a contractor that works as lead generator at various locations throughout the state.

Applicable Texas regulations: 30 TAC § 335.
Applicable Texas regulations: 30 TAC § 324.

6. Management of Specific Wastes

a. Used Oil and Used Oil Filters.

(1) Used Oil

Containers and aboveground tanks, including portable tanks, used to store used oil must be in good condition (no severe rusting, apparent structural defects or deterioration), with no visible leaks, and labeled "Used Oil." All used oil storage vessels should be secondarily contained in a compatible material that is designed to hold 110 percent of the largest container of used oil. (In the San Antonio area, the legal requirement may be 150 percent. Check with your SHE Director). Employee-owners should prevent leaks and spills. In the unlikely event of a spill, employee-owners are required to take the following steps:

(a) Stop the release;

(b) Contain the released used oil;

(c) Notify the Austin Project Superintendent or Project Manager;

(d) Notify your company SHE Director;

(e) Clean up and manage properly the released used oil and other materials; and

(f) If necessary to prevent future releases, repair and replace any leaking used oil storage containers or tanks prior to returning them to service.

Used oil is to be transported and disposed of only by a licensed oil collection center. So long as no more than 55 gallons of used oil are transported at any one time, no EPA notification is required. If more than 55 gallons is transported, Austin is subject to used oil transporter requirements, including notification and reporting to the EPA/TCEQ.

Soil or other materials such as absorbent materials with used oil in them probably will not be able to be handled by a licensed oil collection center, and will need to be disposed of properly. There are special requirements applicable to such disposal that should be discussed with the company SHE Director before disposal occurs.

It is Austin's policy to dispose of waste generated by our operations only at a waste disposal vendor location identified in this manual. (Approved Vendors on pages 79-81)

Applicable federal regulations: 40 CFR § 279.
Applicable Texas regulations: 30 TAC § 324.

(2) Used Oil Filters

Up to six 55-gallon containers of used oil filters (or the volumetric equivalent) may be stored without registering with the TCEQ as a storage facility. Up to two 55-gallon containers of used oil filters (or the volumetric equivalent) may be transported to a licensed collection center without registering with the TCEQ as a used oil filter transporter. If these amounts are exceeded, the various notification, recordkeeping and reporting requirements apply.

All spills and releases from used oil filters must be cleaned up immediately. Equipment sufficient to respond to a spill volume equivalent to 10 gallons for every 55-gallon drum on site must be kept on hand.

Containers used to store used oil filters that are found to be leaking or in poor condition should be repaired immediately or removed from service.

Applicable Texas regulations: 30 TAC § 330, Subchapter Z.

b. Used Batteries

Used batteries are classified as "universal wastes" and are regulated as such. **Used batteries must be returned to: (1) a battery retailer, when a new battery is purchased, or (2) a battery wholesaler. It is illegal and strictly against Austin's policy to dispose of used batteries in a landfill or on or in any other place.** A battery retailer is required to accept our used batteries if we purchase an equal number of new batteries of the same type.

Do not keep a used battery that cannot be used at a job site at the site. Turn it in within 10 days. Store used batteries out of the elements, preferably indoors, and label each one with the date it was removed from service. If used batteries are placed in a container of any type, that container should likewise be labeled "Used Batteries" and dated. Any battery that shows evidence of leakage, spillage or damage that could cause leakage, must be placed in a closed, non-leaking container.

If a battery leaks, report the incident to your SHE Director. The leak must be immediately captured and containerized. Special requirements (i.e., hazardous waste rules) will apply.

Employee-owners must never remove any fluids or components from a battery.

Applicable federal regulations Universal Waste Regulations
40 CFR § 273.2.
Applicable Texas regulations 30 TAC § 335.24 and § .251, and § 328.13.

c. Waste Tire Management

Tires that are scrap or worn out are considered wastes in Texas. Used and/or scrap tires may not be commingled with any other type of scrap material or waste. Outside tire storage areas must be inspected at least every two weeks and appropriate vector (e.g. mosquito, rat, snake) control measures taken. At no time will more than 500 used or scrap tires (or the equivalent weight of tire pieces) be stored at any one site.

There are two ways to dispose of tires legally: disposal in a licensed landfill or by recycling. Tires must be split, quartered, or shredded before being disposed of. Local ordinances may also specify procedures for the management of used or scrap tires. It is the responsibility of the Austin Project Manager or Site Manager to assure conformity with these requirements.

Applicable Texas law: Texas Health and Safety Code, Section 361.112(f).
Applicable Texas regulations: 30 TAC § 328.51.

d. Lead-based Paint in Demolition Debris or in Other Wastes

The following discussion does not apply to lead-based painted structural beams, which are valuable construction materials and which are intended for continued use at another site. Such beams are considered commercial products, rather than waste.

The presence of lead-based paint at a site is most often a pre-existing environmental condition. Prior to about 1980, some of the paint that was applied to buildings contained lead in small concentrations. Much of this lead paint is still present in these buildings. It is Austin's policy not to handle or clean up pre-existing environmental conditions. No exception to this policy is available, except through the operating company President.

With the exception of Austin Industrial sites, should a property have lead-based paint, a decision will need to be made whether 1) the owner will be required to resolve or clean up the paint before we start work, or 2) the project can be managed in such a manner so as to not impact the lead-based painted materials. Handling, including removal of lead-based paint, is a specialized process and presents worker safety issues. Those involved in lead-based paint-related work at a job site must be specially trained in accordance with OSHA and EPA requirements.

It is Austin's policy that the handling, including dismantling, of lead-based paint, will be done only by persons having the required OSHA and EPA training.

It is strictly against Austin's policy for Austin to take ownership of lead-based painted materials or the paint itself in whatever form it may be present at a project site.

It is also strictly against Austin's policy for Austin to move lead-based waste materials in whatever form from a job site. Specifically, transportation, recycling and disposal of waste materials that contain lead, including lead-based paint, is prohibited.

This is why, among other reasons, it is critical that Question 10 of the Environmental Site Evaluation Form in the Exhibits and Forms Section (page 130) be completed carefully and accurately. If lead-based painted materials are identified in our environmental evaluation process, their handling must be specifically addressed in the prime contract.

If the lead-based painted materials at a specific job site were not disclosed to Austin, but comes to our attention during work, their subsequent discovery is good cause for ceasing work under the terms of our prime contract.

Before painted materials are removed from a property owned or leased by Austin, care must be taken to assure that lead-based paints are not present. Again, this is why, among other reasons, the Environmental Site Evaluation (ESE) Form in the Exhibits and Forms section applies to such properties. Should lead-based paints be identified in this context, Austin will make arrangements to employ appropriate third parties to handle this material.

Applicable federal regulations:	40 CFR Subtitles C and D. 49 CFR Parts 172 and 173.
Applicable Texas regulations:	30 TAC Chapter 335.

e. PCBs (including Bulk Construction Debris Containing PCBs)

(1) Electrical Equipment

PCBs are a highly regulated and toxic chemical, typically in liquid form, which were used into the 1970's in many types of electrical equipment as a flame retardant. PCBs are commonly found in both large and small electric transformers and capacitors, light ballasts and other electrical equipment. All electric transformers and capacitors are required to be labeled as either "PCB" or "Non-PCB." A piece of electrical equipment that is not labeled should be assumed to contain PCBs.

It is strictly against Austin's policy to handle, remove, transport or dispose of PCB-containing electrical equipment. This is why, among other reasons, it is critical that Question 18 of the Environmental Site Evaluation Form (page 132) in the Exhibits and Forms section of this manual be completed carefully and accurately. If PCB-containing electrical equipment is identified in our Environmental Site Evaluation process, the handling of those materials must be a responsibility specifically retained by the customer in the prime contract.

If the PCB-containing electrical equipment at a specific job site was not disclosed to Austin, but comes to our attention during work, its subsequent discovery is good cause for ceasing work under the terms of our prime contract.

Before electrical equipment is removed from a property owned or leased by Austin, care must be taken to assure that PCBs are not present. Again, this is why, among other reasons, the Environmental Site Evaluation Form in the Exhibits and Forms section should be applied to such properties. Should PCBs be identified in this context, Austin will make arrangements to contract with appropriate third parties to handle this material.

Handling, including removal of PCB-containing electrical equipment is a specialized process, and presents worker safety issues that Austin will not take on. PCB-containing electrical equipment is, under common circumstances, a toxic and hazardous waste, and is regulated as such. Such PCB-containing electrical equipment may only be disposed in specialized PCB incinerators.

(2) Bulk Construction Debris

It has recently come to light that PCBs were sometimes used as an ingredient in a limited number of caulks, paints and other construction and building materials. August 1998 EPA regulations label this construction debris "PCB Bulk Product Waste." When a structure is to be demolished that contains building materials painted with PCB-containing paint, special legal requirements apply.

It is strictly against Austin's policy to handle, remove, transport or dispose of PCB Bulk Product Waste.

This is why, among other reasons, it is critical that Question 10 of the Environmental Site Evaluation Form (page 130) be completed carefully and accurately. While PCB Bulk Product Waste is still allowed to be disposed in a landfill that would otherwise be authorized to receive the building materials, a 15-day advance written notice is now required.

If PCB Bulk Product Waste at a specific job site was not disclosed to Austin, but comes to our attention during work, its subsequent discovery is good cause for ceasing work under the terms of our prime contract.

Applicable federal regulations: 40 CFR § 761.

f. Medical/Biohazard Waste

Circumstances involving medical waste may arise in three of Austin's present business contexts, discussed below: (1) as pre-existing environmental conditions, (2) in first-aid administered to an Austin employee-owner, and (3) in the course and scope of janitorial services provided by Austin.

"Medical waste" is defined as waste generated by health-care related facilities and associated health care activities (not including garbage or rubbish generated from offices, kitchens or other non-health care activities). Medical waste that may pose a danger to human health or the environment include blood and blood products, microbiological waste, prostheses, pathological waste, laboratory animal waste and sharp objects such as syringe needles and scalpels.

(1) Pre-existing Medical Waste

Medical waste is typically found in health care facilities, such as hospitals, laboratories, clinics, blood banks, doctors' and dentists' offices, nurses' stations, and other professional office buildings. Spas and other athletic facilities may also have medical waste. Should a typically red-

colored BIO-HAZARD plastic container or bag for medical waste be present or be discovered, or should medical waste otherwise become evident during the Environmental Site Evaluation, a decision will need to be made whether 1) the owner will be required to address the medical waste issue before we start work, or 2) the project can be managed in such a manner so as to not impact the environmental conditions. **It is strictly against Austin's policy to handle, remove, transport or dispose of pre-existing medical waste at a project site.**

Handling, including removal of medical waste is a specialized process, and presents worker safety issues. Those involved in medical waste work at a job site must be specially trained in accordance with OSHA and EPA requirements. Texas Department of Health (TDH) and Texas Commission on Environmental Quality (TCEQ) regulations set forth very specific medical waste treatment requirements, impose specific waste management duties on generators and transporters, and delineate the acceptable methods of medical waste storage and disposal.

If medical waste at a specific job site was not disclosed to Austin, but comes to our attention during work, its subsequent discovery is good cause for ceasing work under the terms of our prime contract.

(2) Medical Waste Generated from Austin's First Aid Stations

The handling of medical waste generated in this context is addressed in Austin’s Safety Manual. Please consult that manual for instructions.

(3) Medical Waste Encountered During Janitorial Services

Medical waste is typically found in health care facilities, such as hospitals, laboratories, clinics, blood banks, doctors' and dentists' offices, nurses' stations, and other professional office buildings. Spas and other athletic facilities may also have medical waste. Austin contracts for

janitorial services must state that under no circumstances will Austin employee-owners handle medical waste in any manner. Such wastes should be considered pre-existing environmental conditions. **It is Austin's policy not to clean up pre-existing environmental conditions, including medical waste.**

Applicable Texas regulations: 30 TAC, Subchapter Y.
25 TAC §§ 1.131 - .137.

g. Asbestos-Containing Materials: Removal and Disposal

The management and disposal of asbestos-containing material (ACM) is the subject of comprehensive regulation by OSHA, EPA, the Texas Department of State Health Services (DSHS), and the TCEQ. **With the exception of Austin Industrial employee-owners who have specific asbestos-related training, it is Austin's policy not to engage in the handling or any management of asbestos-containing materials, or to hire subcontractors or others to do so. Austin Industrial employee-owners are limited by company policy to the removal and bagging of ACM.** A list of materials that have been found to contain ACM is provided in the Exhibits and Forms section of this manual (page 137).

It is strictly against Austin's policy for Austin to move ACM in any form from a job site, or to hire subcontractors or others to do so. Specifically, transportation, recycling and disposal of building materials that contain ACM is prohibited. It is strictly against Austin's policy for Austin to take ownership of ACM in any form at a project site.

OSHA asbestos regulations specify procedures for demarcation, access, personal protection, engineering controls and work practices, monitoring, respiratory protection, and communication of hazards. These standards are intended to ensure that persons are not exposed to an airborne concentration

of asbestos in excess of the permissible exposure limits. Any construction activities that may disturb asbestos are covered by a separate regulatory "construction standard," the strictness of which in turn depends on the specific kind of ACM-related work.

This is why, among other reasons, it is critical that Questions 8 and 9 of the Environmental Site Evaluation Form (page 130) be completed carefully and accurately. If ACM is identified in our Environmental Evaluation process, its handling must be specifically addressed in the prime contract.

Those who engage in asbestos-related activity or asbestos abatement activity in Texas must have proper credentials from the DSHS. The DSHS also has been assigned responsibility from the EPA to administer the EPA's "Asbestos NESHAP" air quality regulation. The Asbestos NESHAP requires certain emission control procedures for asbestos-related demolition and renovation activity. In addition, the Asbestos NESHAP includes comprehensive notification procedures discussed in Section I.C.2 (page 22) and Section I.C.3 (page 24) of this manual.

ACM waste is subject to special handling and disposal regulations under the TCEQ rules, including that such waste be sent only to an approved landfill. The operator of a site where ACM is being disposed must notify the TCEQ and DSHS and coordinate with the generator for the proper receipt of that waste.

If ACM at a specific job site was not disclosed to Austin, but comes to our attention during work, its subsequent discovery is good cause for ceasing work under the terms of our prime contract. Additionally, DSHS requires that the notification form include a description of the procedures, including ceasing work, that will be followed to control emissions and protect workers in the event asbestos is discovered during demolition/renovation activities.

Listed below are the asbestos consultants Austin has approved for this purpose:

Dyana Lee
Resource Environmental Consulting
5001 LBJ Freeway, Suite 700
Dallas, Texas 75244
Phone: (972) 385-4535

Robert Garrison
IAQ Consultants, Inc.
190 W. Northwest Pkwy, Ste. C
Southlake, Texas 76092
Phone: (817) 481-6280

Darren Bowden
Southwest Geoscience
2351 W. Northwest Hwy., Suite 3321
Dallas, Texas 75220
Phone: (214) 350-5469

Applicable federal regulations:	29 CFR §§ 1910.1001, 1926.1101. 40 CFR Part 61, Subpart M ("Asbestos NESHAP").
Applicable Texas regulations:	25 TAC § 295. 30 TAC § 330.136.

h. Drum and Container Disposal

Austin has a very strong preference for purchasing materials from vendors that will allow us to return the container to them. Get suppliers to agree to take back empty drums at the time of purchase. Take care of drums to prevent unnecessary damage. In this way, Austin's obligation to dispose of these containers will be minimized.

Drums and containers that require disposal must be managed very carefully. Generally, those drums and containers will be considered to be of the same waste character and classification of the material they formerly held. Each site is required to have a Material Safety Data Sheet (MSDS) for each material it

has on site. Referring to the MSDS for the material contained in the drum that held that material can avoid the time and expense otherwise required to have the material tested to determine before shipping it off site for disposal. If a drum contained a hazardous waste, the drum must be manifested, transported and disposed in accordance with all applicable hazardous waste laws and regulations.

i. Computers, Computer Monitors and Peripherals

(1) Equipment in company offices

Austin's policy is to use and reuse our computers, computer monitors and peripherals until each piece of equipment has broken and can no longer be repaired, or it is no longer compatible with current or anticipated known information systems uses. This equipment may be present at company offices, may be mobile or may be at a job site during field activities. When a piece of computer equipment has broken down and can no longer be repaired, or is no longer compatible with current or anticipated known information systems uses, Austin's policy is either to (1) auction or otherwise sell such computer equipment, if it is still of useable quality, to an Austin employee-owner, using the Bill of Sale (page 138) found in the Exhibits and Forms section of this manual, or (2) donate the equipment to a qualifying non-profit entity with an immediate need and willingness to use the equipment, using the Donation Agreement (page 139) found in the Exhibits and Forms section of this manual. In either case, the value of the equipment is maximized. The company Manager of Information Systems shall make the decision as to any particular piece of equipment.

Computers, computer monitors and peripherals that can no longer be repaired, or are not sold or donated may be retained for no longer than

90 days before being disposed. Computer equipment, when disposed, is a waste and must be handled in accordance with all applicable waste disposal laws and regulations, and this manual.

It is Austin's policy not to dispose of a computer, computer monitor or peripheral in a landfill. Computer equipment shall be transported to a waste computer-specific treatment business for handling and disposal.

Austin's approved facilities for this equipment are:

Resource Concepts, Inc.
2940 Eisenhower St., Suite 100
Carrollton, Texas 75007
Phone: 972-245-3121
Fax: 972-242-9050

Life Span Technology Recycling
8616 G Street
Omaha, Nebraska 68127
Phone: (888) 720-0900

Liquis, Inc.
400 Parker Drive, Suite 1110
Austin, Texas 78728
info@liquis.com

The disposal of the cathode ray tube (CRT) that makes the image that we see on a computer monitor presents special challenges that support this policy. CRTs contain leaded glass to shield users from the radioactivity required to produce the image. The lead in this glass does not present a safety issue for the user, however, disposal of the leaded glass can, under some interpretations, invoke hazardous waste laws and regulations. Legal changes are being proposed that if passed, would modify these interpretations and lessen this possible government regulation. The leaded glass is very reusable as part of the existing

monitor, or if removed by a special handling facility, can be placed into a new monitor or otherwise reused.

(2) Job-Site equipment

In many situations, Austin charges our customer for the use at the job site of a computer, computer monitor or peripheral that belongs to Austin.

Computer equipment from a job site that belongs to Austin is authorized to be reassigned to further use by Austin at the completion of the project or returned to the operating company's Information Systems Manager for further internal use. Should the customer desire such computer equipment for its immediate use, the equipment may be sold, using the Bill of Sale (page 138) found in the Exhibits and Forms section of this manual, for a fair price determined by the Austin Project Manager.

It is strictly against Austin's policy to acquire computer equipment that belongs to the customer.

j. Fire Retardant Clothing Management

The chemicals that cause fire retardant clothing to become soiled are considered wastes. Those chemicals must be managed in accordance with Austin's contract with its customer, in accordance with the contract with the FRC laundry, and in accordance with applicable law. The arranging for transportation, treatment and disposal, as well as the performance of each of those activities, is regulated.

The type and extent of environmental regulation of the transportation of soiled FRCs will depend on the nature of the chemicals in them. At a minimum, if the chemicals are flammable, appropriate hazardous materials transportation placarding is required.

FRCs laundered at laundries whose wastewater is discharged in compliance with the laundry's permit to a water of the United States or to a city sewer system should be exempt from waste regulations and liabilities.

It is Austin's policy to remove FRCs only in an enclosed building out of the elements, and to place soiled FRCs in a closed container out of the elements.

The chemicals that are expected to soil the FRCs are to be disclosed in advance to the laundry. If either the contract with Austin's customer imposes responsibility for the FRCs on Austin, or if the contract with the laundry is in Austin's name, Austin's policy is to make this disclosure in writing.

Care must be taken to avoid the accumulation of these chemicals as free liquids in the containers in which the soiled FRCs are placed for laundering. This practice will minimize the chances that the laundry refuses to accept the container, and further limits the opportunity for soil and ground contamination, in the event the container is punctured.

7. Drum Management

Whether bulk containers or 55-gallon drums are used at a construction site, they must be placed inside secondary containment, with a volume at least equal to 110 percent of the total volume stored in the container(s). Secondary containment procedures are described in Subpart 5 (following) on page 105.

Always label drums with appropriate markings (check with your company SHE Director).

Burying of 55-gallon drums at work sites or company facilities is specifically prohibited. It is against Austin's policy for employee-owners or others to remove drums from a job site, including for personal use.

Collect all waste oil in appropriate containers. Follow the used oil disposal requirements provided in 6.a.(1) (page 86). **Dumping waste oil at construction sites or company facilities is specifically prohibited.**

A roof structure or other covering must be included over petroleum drums and containers and GAC tanks to keep storm water from coming in contact with these materials.

Provide a sufficient number of appropriate containers for refuse and empty them frequently (separate chemical containers such as paint cans, which require special disposal considerations).

Subcontractors shall not use Austin's refuse containers for disposal of chemical containers, paint cans, or any other hazardous materials. As specified in our standard subcontract form, subcontractors are to remove and dispose of their own trash and wastes according to applicable regulations.

Subcontractors are responsible for their drums. Do not allow them to leave their drums at the construction site. It is their responsibility to store, maintain and dispose of their drums in a lawful manner.

The Approved Vendor List is found on pages 79-81.

Take care of drums to prevent unnecessary damage. The Exhibits and Forms section contains an Operating Checklist (page 142) that is a means for each site to assure a good drum management program.

New aboveground or underground storage tanks were prohibited effective October 18, 2002.

Applicable Texas regulations: 30 TAC § 213 (2002).

a. Fueling Tanks/Containers

The service truck attendant must stay with fueling operations at all times to monitor the transfer operation to ensure that no spillage occurs.

Above ground fuel tanks, chemical containers, oil, etc. must be surrounded by secondary containment with a capacity at least equal to 110 percent of their contents. The bottom of the diked area must be lined to prevent ground absorption. Available tank volumes should be measured immediately before refilling to assure adequate space.

Fuel hoses approved by Underwriters Laboratories (UL) are required.

Lock-open devices may not be used on fuel nozzles.

Portable fuel containers should be industrial rated **metal** safety cans with spring loaded caps. Cans should be labeled as to their contents and contain metal (brass) flame arrester screens in the spout.

If cradles are used for drums, spring-loaded spouts should be used to avoid dripping of the contents onto the ground.

b. Secondary Containment

Each container storage area will be constructed in a manner to create a secondary containment capable of holding 110 percent of the maximum capacity stores. In the **Edwards Aquifer** area, the **required** containment is **150 percent**.

The secondary containment must be constructed to prevent leakage of stored materials to the environment and to prevent leakage from the surrounding area into the area being secondarily contained. The latter requirement (which is a "Best Management Practice") includes a roof covering to prevent rain from entering the containment and coming in contact with the stored materials.

One acceptable secondary containment structure, including HDPE 30 mil or thicker liner beneath a concrete floor, is shown in the diagrams on the following two pages. Other alternatives are acceptable if they meet the criteria above and are approved by the company SHE Director prior to construction.

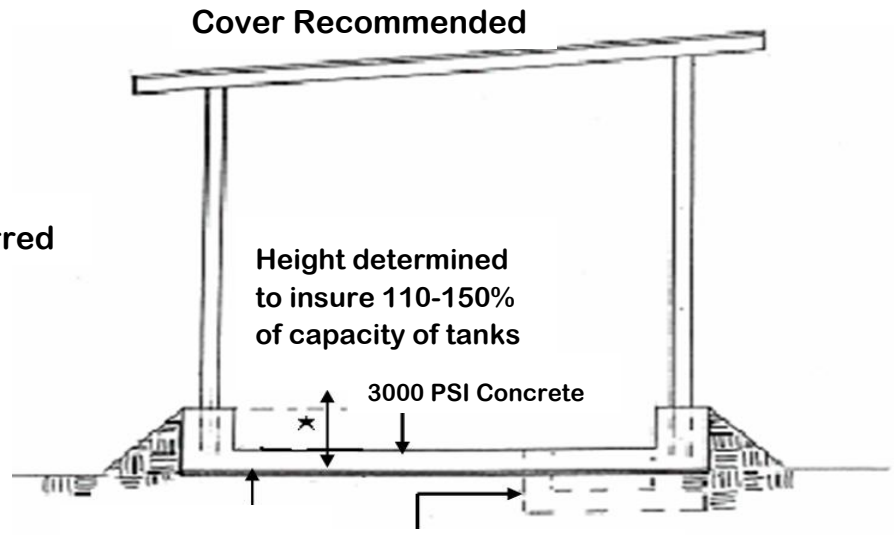
c. Products Used in Containment Area or on Walls or Surrounding Ground Surfaces to Control Sheen are:

For water sheen control LFS-1, manufactured by Arrow Magnolia (or equal) is to be used.

For surface, wall, or ground use, Micro Clean, manufactured by Arrow Magnolia (or equal) is to be used.

Water that has collected inside the containment area shall **not** be released/removed unless treated by a **GAC unit** or approved vendor. The vendor is Carbonair Systems in San Antonio. Contact person is Pam Beck. The phone number is 800-893-5937.

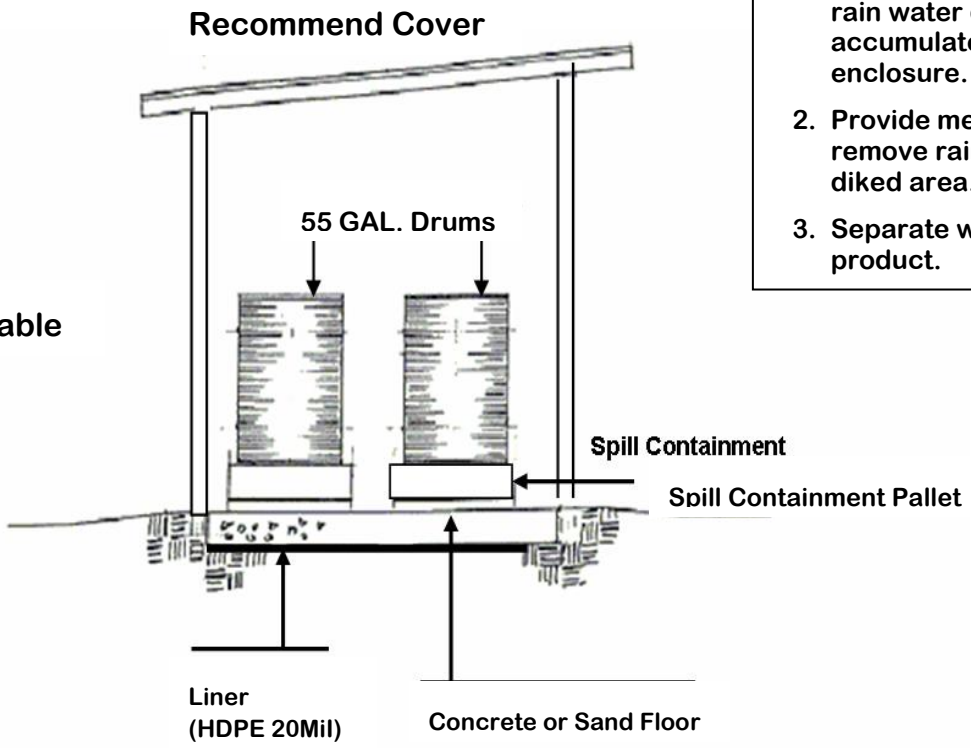
Preferred

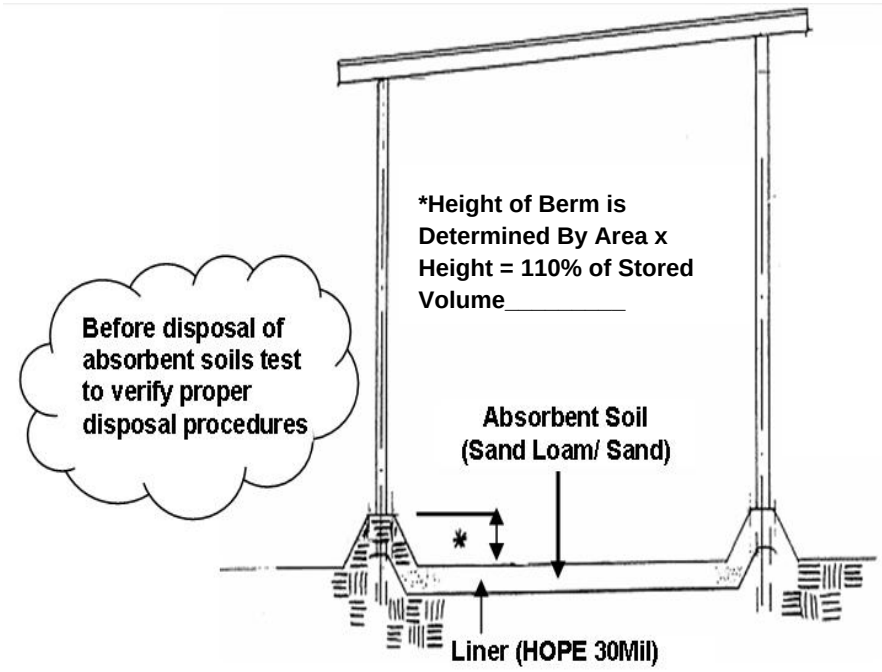


Best Management Practice

1. Provide a cover over storage area to ensure rain water does not accumulate in diked enclosure.
2. Provide mechanism to remove rain water from diked area.
3. Separate water from product.

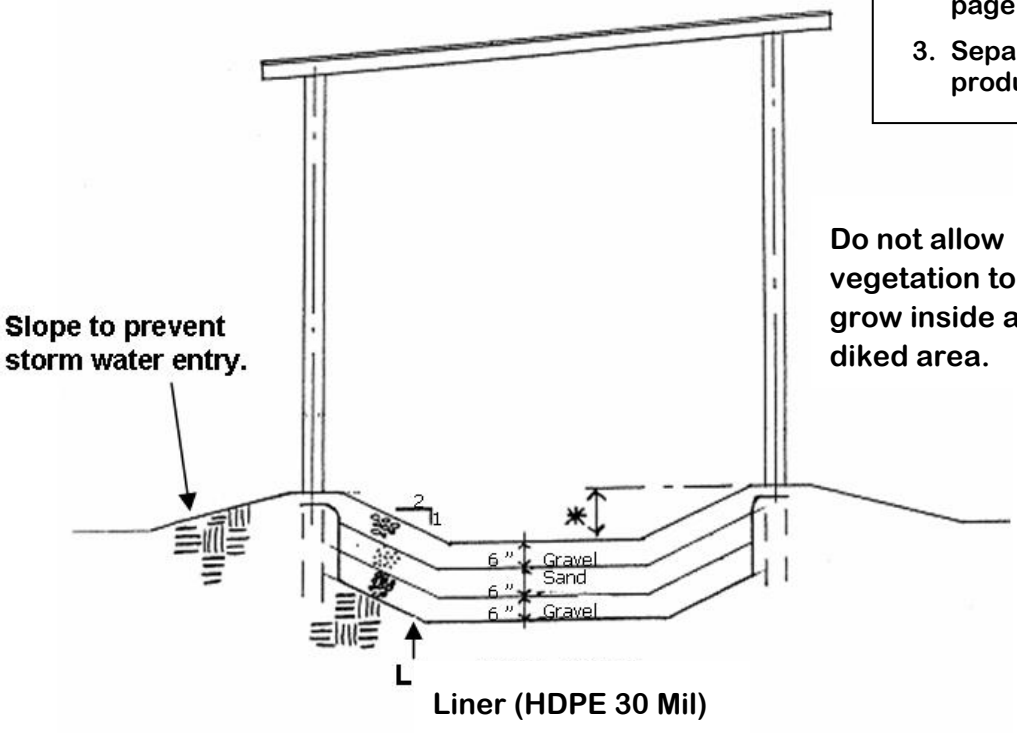
Acceptable





Best Management Practice

1. **Provide a cover over storage area to ensure rain water does not accumulate in diked enclosure.**
2. **Provide mechanism to remove rain water from diked area. See GAC unit, page 86.**
3. **Separate water from product.**



8. Subcontractor Requirements

Subcontractor's waste management, including disposal, must be in compliance with local, state and federal regulations. Austin's trash containers must not be used by subcontractors to dispose of hazardous materials and/or containers.

Subcontractors must submit copies of Material Safety Data sheets to the Austin Site Superintendent for each material brought on site. Only materials to be used in the scope of construction will be allowed on Austin construction projects.

Subcontractors are responsible for responding, containing, and cleaning up their spilled chemicals, wastes and releases of materials at the construction site.

Subcontractors are required to have employees properly trained to complete such activity (OSHA HAZWOPER standard).

Subcontractors are prohibited from servicing their equipment at a project site or on Austin property, except in area(s) designated by the Austin Site Superintendent. Subcontractors are responsible for their own secondary containment.

Subcontractors are responsible for the compliance of their operations with the SWPPP for the site.

Subcontractors are responsible for the compliance of their operations with all applicable SPCC Plan requirements.

9. Steam Cleaning or Pressure Washing

Steam cleaning or washing of equipment and vehicles may not be performed except with the advance approval of the company SHE Director, and then only if the environmental impacts are minimized in the manner described below.

Steam cleaning or washing is authorized only at a company yard or property and only in a designed wash rack area, or at a commercial truck wash facility.

Subcontractors are prohibited from steam cleaning anything at a job site or on Austin property.

Sludge and solids that accumulate in a wash rack at an Austin property must be tested and disposed as a waste whenever necessary as determined by usage and equipment capacities to maintain system.

10. LEED Construction Waste Management

If required by contract on a LEED project, Austin must provide and implement a Construction Waste Management Plan. One is required to recycle 50% waste at minimum, possibly more by contract.

See appropriate LEED reference guide for requirements.

Prior to entering into a contract with a new disposal source, the contract must be approved by the corporate Law Department (Steve Doyle), corporate Risk Management (Dan Howard) and corporate SHE Director (P.D. Frey) and perhaps outside legal counsel. This is necessary to ensure that the facility meets all the current criteria to dispose of a particular waste and will not expose an Austin company to unacceptable risks.

Austin Contact: Nicole Heinle and nheinle@austin-ind.com.

Applicable federal regulations:	40 CFR Subtitle C and D 49 CFR Parts 172 and 173
Applicable Texas regulations	30 TAC Chapter 335

11. Pesticide and Herbicide Application, including Mosquito Control

a. Pesticide and Herbicide Application

The application of restricted-use and state-limited use pesticides, including regulated herbicides requires a license, either from the Texas Department of Agriculture (TDA) and/or the Texas Structural Pest Control Board (TSPCB). The TDA license is the more commonly held license.

The TDA divides pesticide applicators into those working exclusively on their own land, or land owned by their employer. The former, by regulation, are noncommercial applicators, the latter are commercial applicators.

To obtain a TDA pesticide commercial applicator license, one must pass at least three tests: a general test, the TDA laws and regulations test, and a test for the types of site(s) at which an applicant proposes to work. The license granted is for the type of site for which an applicant has passed the test. For example, the TDA issues a pesticide license specific to right-of-way maintenance applications, plant pest and weed control, (as part of the Ornamental Plant and Turf Control License), and regulatory pest control, among approximately 20 license categories. All of these TDA licenses expire one year after they are issued.

The TSPCB license is required for indoor pesticide applicators. One may be exempt from the TSPCB program for outdoor applications if the TDA nursery floral test is taken and passed.

Applicator companies must continually meet specific financial requirements to maintain their TDA license.

Applicable Texas regulations: 4 TAC Chapter 7, Part 1 (2002).

b. Mosquito Control and Abatement

Indoor and outdoor commercial mosquito abatement from a land-based device is regulated by the TSPCB as a pest control. Businesses wishing to engage in this activity must obtain a business license from the TSPCB. To obtain that license, the business must, among other things, employ at least one certified applicator licensee by the agency for pest control. In addition, the business must prove to the TSPCB that it has obtained liability insurance meeting specific legal standards, applicable to the application of pesticides.

There is a prohibition on performing commercial pesticide applications in Texas for mosquitos until the business license is issued.

The TSPCB program has three levels of licensing. At the top, are the most experienced, certified commercial applicators. Below them are technicians and apprentices. All must be licensed before performing pesticide application. A certified applicator must be physically present with the technicians and apprentices at least three days per week.

As with the TDA program, there are several categories of licensure. Mosquito abatement falls within the Pest Control category. The categories are: termite control (or other wood destroying organisms), Lawn and ornamental, Structural fumigation (other than food, feed and grains), Commodity fumigation and weed control. As described above, one may obtain a nursery license from the TDA to be exempt from certain TSPCB licensing requirements.

It is Austin's policy that individuals involved in the application or use of pesticides, herbicides or mosquito control activities obtain and maintain appropriate licenses for this activity.

Applicable Texas law:	Vernon's Civil Statutes, Title IV, Chapter Seven, 135b-6 (2002). (Texas Structural Pest Control Act).
Applicable Texas regulations:	22 TAC Part 25, Sections 591, 593, and 595 (2002).

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Section III: Reporting, Data Accumulation and Quality Assurance

A. SARA Title III

If Austin's operations at an individual site include the presence of one or more hazardous chemicals at any time during a calendar year in amounts above the threshold quantity for that chemical, Austin is required to file a SARA Title III Emergency Planning Community Right to Know Act (EPCRA) "Tier II" report. This report is filed annually in March with the Texas Department of Health (TDH) and a copy is sent to the Local Emergency Planning Committee for the county where the facility is present.

Tier II reporting requirements are applicable to Austin (even if Austin's operations are conducted at a facility owned by another) if Austin is required as an employer under the Occupational Health and Safety Act (OSHA) to prepare or have available to its employees a Material Safety Data Sheet (MSDS) for a given chemical, and if that chemical is present at the facility due to Austin's operations at or above the following thresholds:

1. **"Extremely Hazardous Substances": 500 pounds or its threshold planning quantity, whichever is lower.**

   or

2. **For other hazardous chemicals: 10,000 pounds.**

   Generally, a separate Tier II form is required for each facility where Austin is an owner or operator where the applicable reporting requirements are met. However, if Austin manages the same kinds of chemicals in similar quantities at several different locations, Austin may be able to utilize the "Paperwork Reduction Form" which allows for the reporting of several facilities with one filing.

Applicable Texas regulation: 30 TAC § 295.181.
Applicable federal regulations: 40 CFR § 370.

B. Data Accumulation

This manual identifies a number of activities that require the accumulation of data and the possible requirement to file forms or reports. Some of these reports must be submitted to federal or state agencies, filed with the contract or returned to the Contract Administrator. It is important that proper procedures be followed to ensure that Austin is not exposed to legal or financial impact. If there are any questions pertaining to when a form is required to be completed, where it is to be sent or who must complete the documentation contact your company SHE Director.

The following will provide a guide to identify the flow of reports:

Environmental Activity Summary

REPORT	COMPLETED BY	TIMING OF COMPLETION	FORWARDED TO
Environmental Site Evaluation (ESE)	Estimator, Project Manager, Contract Administrator, Superintendent, foreman or other designated trained individual, company SHE Director.	Company SHE Director approval prior to beginning field work or taking a legal interest in a property.	Company SHE Director for review and signature then to Contract Administrator for filing with contract. May require company President's signature.
TDH Demolition Notification	Site owner. Project Manager to coordinate with owner relative to start and completion date of work. (See Exhibits of this manual).	Must be submitted 10 working days prior to the start of work.	Company SHE Director to review prior to filing with TDH. Copy filed with prime contract.
TDH Asbestos Renovation/Demolition and Notification	Same as Demolition Notification (See Exhibits of this manual).	Same as Demolition Notification.	Same as Demolition Notification.

TCEQ Abrasive Blasting Form PI-7	Project Manager prepare PI-7 form with assistance of company SHE Director. See Exhibits.	Prior to beginning blasting activity.	Reviewed by company SHE Director. Original PI-7 sent to TCEQ, copy kept at the site and another copy filed with prime contract.
Storm Water Notice of Intent (NOI) (5 acres or more construction sites and all stationary industrial sites)	Filed by construction site owner, and by Site Manager for each Austin stationary industrial site. Project Manager with company SHE Director may assist owner in completing documentation.	At least 48 hours prior to beginning field work.	Construction sites: maintained on site with copy sent to Contract Administrator for filing with prime contract. Fixed sites: maintained by Site Manager.

Environmental Activity Summary

REPORT	COMPLETED BY	TIMING OF COMPLETION	FORWARDED TO
Storm Water Site Notice of Intent (NOI) (1-5 acre construction sites)	Posted at site by Site Manager.	At least 48 hours prior to beginning field work.	Construction sites: maintained on site with copy sent to Contract Administrator for filing with prime contract.
Storm Water Pollution Prevention Plans (SWPPP) - One Master Plan for the site.	Prepared in the site owner's name. Project Manager and company SHE Director may assist.	At least 48 hours prior to beginning field work.	Maintained on site by Site Manager with Storm water NOI. Copy forwarded to Contract Administrator for filing with prime contract.
Storm Water Notice of Termination (NOT)	Prepared in the site owner's name. Project Manager and company SHE Director may assist.	Filed by site owner within 30 days of "final stabilization" at site. (70% of land surface has vegetative cover)	Reviewed by company SHE Director. Original Notice filed with EPA. A copy is sent to Contract Administrator for filing with prime contract.

Notice of Industrial Waste Registration-Construction Sites (NOR)	Contract Administrator with the assistance of company SHE Director.	Prior to generation of wastes and updates as new wastes are generated.	Filed with TCEQ. A copy is kept at the site, and a copy is included with prime contract.
Notice of Industrial Waste Registration-Fixed Site (NOR)	Site Manager with the assistance of company SHE Director.	Prior to generation of wastes and updates as new wastes are generated.	Filed with TCEQ. A copy is kept by Site Manager at the site.
Bill of Sale for computer equipment	Seller and buyer	Before or at the time of change of possession.	Forwarded to I/S department for filing.
Donation Agreement for computer equipment	Donor and donee	Before or at the time of change of possession.	Forwarded to I/S department for filing.

C. Quality Assurance

To ensure compliance with all the requirements outlined in this manual, the environmental liaison at each operating company will be responsible for random audits of his/her company's environmental activities. This may include jobsite reviews of required paperwork, (NOI, SWPPP, etc.) as well as review of completed contract files and review of the contract review procedures involving environmental issues. Any deficiencies will be addressed immediately with the appropriate company President and they will jointly determine the necessary remedial action.

It will be the responsibility of the Environmental Task Team consisting of each company SHE Director and environmental liaison to perform an annual review of all current waste disposal vendors.

An annual review of current environmental providers will be completed by Corporate Safety personnel, in conjunction with Company Safety/Environmental input and assistance from outside legal counsel. This review will include record checks at state and local levels as well as possible site visits. Providers can be added or

deleted as a result of these reviews. The Environmental Manual will be modified accordingly.

Each waste disposal contract will be forwarded to outside legal counsel annually for review.

Notification of acceptability will be provided on each facility once this evaluation has been completed, and will remain in effect until the next renewal period or until a facility is removed from our approved list. If a provider is removed from the list, all company SHE Directors will be notified immediately.

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Section IV: Quarry Environmental Issues

A. Air Emissions

1. Rock Crushing Operations

Rock crushing must obtain an air emissions authorization prior to construction or relocation. Rock crushers with a maximum rated capacity of 200 tons per hour or less whose operations do not exceed 1,600 hours per year can qualify for a permit by rule, if the following requirements are met;

a. all in-plant haul roads and stockpiles are sprinkled with water as necessary to achieve maximum control of dust emissions;

b. water sprays are located at all belt transfer points, shaker screens, and inlet and outlet of all crushers and used as necessary to achieve maximum control of dust emissions;

c. the crusher is located at least 1/2 mile from any recreational area or residence or other structure not occupied or used solely by the Company or the owner of the property on which the crusher is located;

d. the plant is located at least 1,000 feet from any state or federal highway not currently under maintenance or construction;

Written site approval from the TCEQ must be obtained and the crushing operations must be registered with TCEQ.

Applicable Texas regulations: 30 TAC § 106.142.

If a crushing operation is unable to meet each and every permit by rule criteria, the next option is a Standard Permit. There are two standard permits for rock crushers: Tier I and Tier II. Both require conveyors and screen sides to be enclosed.

The following is a side-by-side comparison between the requirements for Tier I and Tier II standard permits:

1. Setback:	Tier I: 200 foot property line setback Tier II: 300 foot property line setback
2. Max. Operating rate	Tier I: 125 tph Tier II: 250 tph
3. Max. Operating Hours :	Tier I: 45 non-consecutive days or 360 hours of operation Tier II: 180 non-consecutive days or 1080 hours
4. Equipment Limit	Tier I: 1 crusher, 2 conveyors and 2 screens Tier II: Limit of 2 crushers, 2 screens
5. Operations relative to on-site concrete plant, asphalt plant or quarry	Tier I: Prohibited Tier II: Cannot operate within 550 feet of a concrete plant or asphalt plant
6. TCEQ Notice	Tier I: 10 day's advance notice prior to arrival at the site. Tier II: 30 days advance notice prior to arrival at the site.

If a proposed crushing operation is ineligible for, or cannot satisfy the Permit by Rule or the Standard permit criteria, an operating permit must be obtained.

Any crusher that recycles concrete must be located at least ¼ mile away from any structure used as a house, residence, school or place of worship.

2. Stationary Engines and Turbines

Air emissions from stationary engines and turbines may qualify for a Permit by Rule. In general, qualification requirements are greater for engines rated at 500 hp and greater. All qualifying engines and turbines must be fired with sweet natural gas, or field gas.

Applicable Texas regulations: 30 TAC § 106.512.

B. Water-Related Issues

1. Water Availability

a. Surface Water Diversion

The diversion of "waters of the state of Texas" requires a permit, except in unusual situations not often encountered by Company operations.

"Waters of the state" is a very broad term. It includes the water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake; storm water, flood water, and rainwater of every, natural stream, canyon, ravine, depression, and watershed in the state and of every bay or arm of the Gulf of Mexico. Certain waters do not fall in this definition. The most important is "diffused" surface water, generally, surface water that does not flow in any defined water course, but rather crosses the surface of the earth in variant and unregulated ways. Diffused surface water is subject to capture and use by the landowner. However, once this water enters a stream, river, or other state water body, it becomes a water of the state.

It is Company policy that the Company SHE Director must be contacted in advance to determine if a permit is required, should operations require a diversion of water. If an exemption does not apply, there are three types of permits that can be sought, depending on the circumstances and operation's needs:

1. Diversion permit with a surface water right,
2. A leased water right with a surface diversion permit

   and
3. An exemption from permitting.

Applicable Texas law: Texas Water Code, Chapter 11.

b. Subsurface Water Acquisition

For decades, Texas law permitted property owners to capture by wells or otherwise and use any and all water accessible to them from beneath their property, with very few limitations.

Today, Texas has a patchwork of laws and regulations that govern and in many cases limit or prohibit the capture and use of these same subsurface waters without prior government approval.

The Edwards Aquifer Authority, in coordination and with the full authority of the state, strictly controls subsurface water in the Edwards Aquifer, an underground limestone-based strata that generally lies in and between San Antonio and Austin. In addition, Groundwater Conservation Districts in many areas of Texas have their particular requirements that must be met before the extraction of subsurface water is allowed. Most of these programs contain provisions allowing or requiring curtailment of water consumption by industrial, including mining users, under drought conditions.

Should anticipated operations include the extraction and use of subsurface waters, it is Company policy that the Company SHE Director must be contacted in advance to determine whether permitting is required, and if it is, to manage that process.

2. Water Discharge Permitting

Quarrying activities are required to meet the requirements found in TPDES Multi-Sector General Permit, Section J, Sector J. These include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) prior to the submission of the Notice of Intent (NOI) to Comply with the Multi-Sector Permit, along with the appropriate fee, training, inspections and periodic sampling. An evaluation for the potential presence of endangered species as part of the SWPPP preparation process is an unusual aspect of this permitting program.

Sector J also allows the facility to discharge certain non-storm water discharges, in particular, mine dewatering waters, in certain circumstances. These discharges have more stringent sampling and reporting requirements.

If a quarry is located over the Edwards Aquifer Recharge Zone, certain areas in Williamson, Travis, Hays, Comal, Bexar, Medina, Uvalde and Kinney Counties, as shown on "official" TCEQ maps, the TPDES Multi-Sector permit is available only if a Water Pollution Abatement Plan (WPAP) is prepared and approved by the government. This plan is a more detailed storm water plan prepared by a registered professional engineer to address the temporary and permanent storm water controls at a project or site.

The WPAP includes engineered storm water Best Management Practices (BMPs), requirements for chemical storage, aboveground storage tank requirements and secondary containment requirements. A Geologic Assessment (GA), performed by a qualified geologist, is also required. The GA looks at all recharge features and ranks their sensitivity and potential recharge.

Certain areas within these counties may also lie in the Edwards Aquifer Contributing (upgradient) or Transition Zones (immediately downgradient). Additional regulatory requirements such as Contributing Zone Plans or Aboveground Storage Tank approvals are required in these areas.

3. Quarry Operations and Wetlands

The existence of wetlands at a potential quarry location must be carefully considered in the due diligence evaluation of the suitability of the site, not only for their potential interference with actual quarrying activities, but also for the placement of quarry road and other crossings. The definition of wetlands is discussed elsewhere in this manual. If potential wetlands are to be disturbed; or if a road or other crossings of potential wetlands are potentially involved - contact the Company SHE Director so that a correct wetlands delineation can be

determined. Should wetlands be present, permitting from the U.S. Army Corps of Engineers (USACE) may be required. Roads crossing drainage courses, creeks or streams may require permit approval from the USACE or may qualify for a Nationwide Permit (NWP). NWPs may require notification of the USACE and mitigation (or replacement) of lost wetlands.

Similarly, the implementation of a mining plan should take into account the creation of manmade wetlands that may later require special considerations.

C. Pit and Quarry Safety Act

The Texas Railroad Commission (TRC) administers the Texas Pit and Quarry Safety Act. This act requires that any pit or quarry within 200 feet of a public roadway submit a safety plan for TRC approval. The TRC requires that safety devices such as berms, barriers, guardrails and setbacks be constructed to prevent a vehicle reaching the pit or quarry. These must meet TRC requirements.

Applicable Texas regulations: 16 TAC § 11 (2002).

TCEQ Document RG-141, A Regulatory Guidance Document for Applications to Divert, Store or Use State Water, June 1995.

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Environmental Exhibits and Forms Section

Environmental Site Evaluation for
Pre-Existing Environmental Conditions

Caution: If this property involves hazardous materials, also comply with the additional procedures found immediately following this form, entitled Hazardous Waste Operations and Emergency Response (HAZWOPER).

Project Name _____

Job Number _____

Date of Site Evaluation _____

Name of Evaluator _____

Title of Evaluator _____

When completed, promptly sign and return this Evaluation form to your Company Safety, Health and Environmental Director for Environmental Clearance.

1. **Description of Site/Buildings** (Attach a site sketch.)

2. **What were the past uses of the site?**

   ☐ Industrial (Describe) _____
   ☐ Commercial (Describe) _____
   ☐ Residential ☐ Undeveloped ☐ Other _____

3. **What is the most recent use of the site?** _____

4. **What are the proposed plans for the site?** _____

5. **Is demolition or renovation anticipated?**

Y	**N**
☐	☐

6. **Has an Environmental Site Assessment (ESA) of any kind been performed on the site by the owner/customer within six months of the date of this evaluation?**

Y	**N**	
☐	☐	**If yes, please attach a copy.**

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: _____

7. Are there any obvious physical signs of contamination on or around the property?

Y	N		Y	N	
☐	☐	Excavation/filling/"unnatural" topographic features	☐	☐	Stained soil or concrete
☐	☐	Vegetation damage	☐	☐	Ammunitions or explosives
☐	☐	Oil sheen or discoloration of surface water	☐	☐	Foul or unusual odors
☐	☐	Batteries	☐	☐	Drums
☐	☐	Medical Waste	☐	☐	Other (Describe)

8. Has an asbestos survey been performed for the site?

Y	N	
☐	☐	**If yes, please attach a copy**

9. Are there any signs of possible asbestos-containing materials*?

Y	N		Y	N	
☐	☐	Sprayed-on fireproofing	☐	☐	Floor tile or mastic
☐	☐	Pipe	☐	☐	Pipe wrap
☐	☐	Friable ceiling titles	☐	☐	Acoustical plaster
☐	☐	Roofing materials			

*****Consult the Environmental Quality Assurance Manual for other suspect materials (page 137)

10. Are or were there any chemicals or fuels handled at the site?

Y	N		Y	N	
☐	☐	Solvents	☐	☐	Fuel and hydrocarbon products
☐	☐	Plating chemicals	☐	☐	Janitorial chemicals
☐	☐	Coolants and lubricants	☐	☐	Paints
☐	☐	Lead-based paints	☐	☐	Lead-based painted beams
☐	☐	PCB-based paints			
☐	☐	Other hazardous materials ((Describe) _____			

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: _____

11. If the answer to any part of question 10 is "YES," how are/were the chemicals or fuels stored? Secondary containment is generally defined as a means of holding a spill or leak of a material from a tank, drum or other container, other than that tank, drum or other container itself.

Y	N	
☐	☐	Underground storage tanks (secondary containment?) If yes, please respond to question 16.
☐	☐	Above-ground storage tanks (secondary containment?) If yes, please respond to question 17
☐	☐	Portable storage tanks (secondary containment?) (*Describe*)
☐	☐	Drums in designated area(s) (secondary containment?) (*Describe*)
☐	☐	Drums in non-designated or uncontrolled area(s)
☐	☐	Sumps, drains (*Describe*) _____
☐	☐	Pipelines (*Describe*) _____
☐	☐	Other (*Describe*) _____

12. If the answer to question 10 is "YES," have any of these chemicals or fuels been spilled, disposed, or leaked on the property?

Y	N
☐	☐

If yes, please show on site sketch prepared in response to question 1.

13. Has a storm water NOI (permit) or NOT (permit termination) been filed for the site?

Y	N	
☐	☐	**If yes, please attach a copy.**
☐	☐	**Does the site have a Storm Water Pollution Prevention Plan (SWPPP)?**
☐	☐	**If yes, does the Storm Water Pollution Prevention Plan include all site activities planned by Austin**

14. Are there any discharges to, or potential impacts now or anticipated by the project, to a wet area, sewer, creek, stream, lake, flood plain or wetland?

Y	N	
☐	☐	**If yes, please describe.** _____

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: _____

15. Are there air emissions on the property (abrasive blasting, spray booths, batch plant operations, etc.)?

Y ☐ **N** ☐ **If yes, please show on site sketch prepared in response to question 1**

16. List and show on the site sketch provided in response to question 1 all current and former underground storage tank locations on the property. Provide number of tanks, types, volumes, dates installed/removed, contents, leak detection and tests, registration numbers:

_____
_____
_____
_____

17. List and show on the site sketch provided in response to question 1 all current and former aboveground storage tanks on the property. Provide number, types, volumes, dates installed/removed, contents, leak detection and tests, registration numbers:

_____
_____
_____
_____

18. Are there electrical transformers or capacitors on the property which may contain PCBs or fluorescent light tubes?

PCB's		Fluorescent Tubes	
Y	**N**	**Y**	**N**
☐	☐	☐	☐

19. Are there any indications that the property has or had radioactive or other nuclear materials?

Y	**N**
☐	☐

20. Is there one or more groundwater well(s) on the property?

Y	**N**	**Don't Know**
☐	☐	☐

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: _____

21. Is the property on a federal, state or local list of hazardous waste-contaminated sites?

Y	N	Don't Know
☐	☐	☐

22. Is the property the subject of environmental litigation, regulatory citations or enforcement action?

Y	N	Don't Know
☐	☐	☐

If yes, please attach relevant documents.

23. Are there any pipeline easements on the property?

Y	N	Don't Know
☐	☐	☐

If yes, please show on site sketch provided in response to question 1.

24. Is there a total of 1,320 gallons or more of oils of any kind stored at the site?

Y	N	Don't Know
☐	☐	☐

If no, will Austin's activities increase the total of gallons of oil of any land at the site to 1,320 gallons or more?

Y	N
☐	☐

25. Are there any potential environmental problems or conditions that have been brought to your attention that are not described above?

Y	N
☐	☐

If yes, describe below:

_____

_____

_____

_____

_____

The above responses are true and correct to the best of my knowledge.

Signature of individual completing survey (required) _____

Site Environmental Clearance

I have reviewed the foregoing information and determined that work may proceed:

☐ without limitation _____

or

☐ with the following limitations _____

_____

_____

☐ Work may not proceed (see comments below)

_____

Company Safety, Health and Environmental Director Date

Comments:

_____

_____

AFFIDAVIT AND BILL OF SALE FOR FILL MATERIALS

KNOW ALL MEN BY THESE PRESENT THAT,

For and in consideration of the sum of ten dollars ($10.00), and other good and valuable consideration, the sufficiency of which is hereby acknowledged, _____ (Seller) bargains and sells unto _____ (Purchaser) the uncontaminated soil, dirt, rock, sand or other natural or man-made inert solid materials (Property) from _____ (Project Location) to make the Purchaser's land located at _____ (Site) suitable for the construction of known and documentable or imminent surface improvements.

In consideration of the foregoing and the covenants herein contained, the parties hereto agree as follows:

1. Seller does hereby covenant and warrant to Austin and the Purchaser that Seller has the lawful right to sell the Property; that the Property is free from all contaminants, and has no liens and claims upon it whatsoever; that Seller has good right to sell the same; and that Seller will warrant and defend same against the claims and demands of all persons.
2. Purchaser represents and warrants to Seller, Austin, and the owner of the Project Location that Purchaser has known and documentable or imminent surface improvement construction plans at its Site; the Property is suitable for the construction of said surface improvements; that Purchaser will use the Property for the construction of said surface improvements; and that Purchaser will provide safe and lawful Site for the use of the Property.
3. Purchaser grants Seller a right of access to enter the Site and to deposit the Property at such locations at the Site as directed by Purchaser.
4. Austin shall have the right to inspect the Site at any time during normal business hours, but shall have no rights with respect to the Property or the Site.

EXECUTED this _____ day of _____, _____.

PURCHASER:_____

By: _____

Title_____

SUBSCRIBED AND SWORN TO before me by the said _____ this _____day of _____, _____, to certify which witness my hand and seal of office.

_____

My Commission Expires: Notary Public in and for the State of Texas

SELLER:_____

By:_____

Title:_____

SUBSCRIBED AND SWORN TO before me by the said _____ this _____ day of _____, _____, to certify which witness my hand and seal of office.

Insert to prime contract:

If the Project may involve the removal of soil, dirt, rock, sand or other natural or man-made solid materials from the Project Location for deposit elsewhere,

Site Owner represents that the soil, dirt, rock, sand or other natural or man-made solid materials to be removed from the Project Location is "uncontaminated" and "inert," as those terms are used in 30 TAC § 335.1 (1999)(definition of solid waste).

If the Project may involve the receipt of fill materials of any kind,

The transporter of the soil, dirt, rock, sand or other natural or man-made solid materials to be received at the Project Location represents on its behalf, and on behalf of the owner of the property from which those materials originate, that those materials are "uncontaminated" and "inert," as those terms are used in 30 TAC § 335.1 (1999) (definition of solid waste).

A trip ticket/receipt should be prepared similar to this one:

Delivery and Acceptance Receipt

No. [pre-printed number]

AUSTIN [COMPANY NAME]

[Austin company address and phone number] Date:_____

Materials described below are inert and uncontaminated, per federal and state laws and regulations, and are being used for the imminent construction of surface improvements.

Trucking Company: _____ Truck# _____

Type of Materials: _____

Vol. (cy) or Net Weight. (tons) _____ Trucking Co. Signature _____

Excavation Site Address _____ Excavation Site Signature: _____

Receiving Site Address: _____ Receiving Site Signature: _____

Material Suspected to Contain Asbestos

1. Ceiling Tile			
2. Cement Asbestos Panels			
	Insulating Panels		Wallboard
	Siding		
3. Chalkboards			
4. Cooling Tower			
	Fill		Baffles or Louvers
5. Electrical			
	Ducts (cable chases)		Panel Partitions
	Cloth		Insulation, Wiring
	Stage Lighting		Incandescent Recessed Fixtures
6. Elevators			
	Equipment Panels		Brake Shoes
	Vinyl Asbestos Tile		
7. Fire Curtains			
8. Flooring			
	Asphalt Tile		Vinyl Asbestos Tile
	Vinyl Sheet		Backing
9. HVAC			
	Piping Insulation		Gaskets
	Boiler Block or Wearing Surface		Fire Damper
	Damp-proofing		
	Duct Insulation		Ductwork Taping
	Flue, Seam Taping		Valve packing
	Plumbing, Piping Insulation		Plumbing, Pipe Gaskets
	Plumbing, Equipment Insulation		Putty and/or Caulk
	Flexible Fabric Joint (vibration dampening cloth)		
10. Insulation			
	Thermal sprayed-on		Blown-in Insulation
	Fireproofing		Door Insulation
	Packing or rope (at penetrations thru floors or walls)		
	Breeching Insulation		
11. Laboratory			
	Hoods		Oven Gaskets
	Gloves		Bench Tops
12. Roofing			
	Asphalt Saturated Felt		Reinforced Flashing Sheet
	Base Felt		Finishing Felt
	Paint		
	Flashing (tar, felt, plastic cement for sheet metal work)		
13. Wall Coverings			
	Coatings, Textured		Paints
	Taping Compounds		Plaster, Acoustical or Decorative
14. Waterproofing			
	Base Felt		Finishing Felt
	Flashing		

BILL OF SALE

THIS BILL OF SALE is made and entered into this _____ day of _____, _____, by Austin _____, a Texas corporation ("Seller") and _____, ("Buyer");

WITNESSETH:

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, Seller hereby grants, bargains, sells, transfer, conveys, sets over and assigns unto Buyer all of the rights of the Seller to that certain computer equipment and software, if applicable, listed in Exhibit A attached hereto (the "Equipment"), together with all other rights, title and interests of Seller to the Equipment, free and clear of all other claims, liens, charges and security interests of any kind and character.

THE EQUIPMENT IS SOLD AND CONVEYED AS-IS, WHERE-IS, WITHOUT WARRANTY. SELLER MAKES NO WARRANTIES, EITHER EXPRESS OR IMPLIED INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTY THAT SUCH GOODS ARE YEAR 2000 COMPLIANT.

BY ACCEPTANCE HEREOF, BUYER AGREES TO ACCEPT FULL AND TOTAL OWNERSHIP OF THE EQUIPMENT AND ASSUME ALL LIABILITY FROM AND AFTER THE DATE HEREOF FOR THE USE, STORAGE, HANDLING, MAINTENANCE, REPAIR, RESTORATION, REPLACEMENT, RELOCATION, TRANSPORTATION, DISPOSAL, AND OPERATION THEREOF IN ACCORDANCE WITH ANY APPLICABLE FEDERAL, STATE OR LOCAL LAWS, RULES AND REGULATIONS.

By acceptance hereof, Buyer represents, agrees and acknowledges, that the Equipment is of substantial economic value, that it is purchasing the Equipment at a price equal to the fair market value of the Equipment, and that it intends to make use of the Equipment for purposes consistent with the purposes for which the Equipment was designed.

Seller does not intend to convey to Buyer any confidential information or licensed software, except as specifically listed in Exhibit A. Rights to software are assigned by quitclaim, and, to the extent such software is not assignable to donee, or in the event any confidential information or licensed software is inadvertently transferred with the Equipment, Buyer will immediately contact Seller, will refrain from using, copying, reproducing or transmitting such items, and will allow Seller to remove such items from the Equipment as soon as practicable.

IN WITNESS WHEREOF, Seller and Buyer have caused this Bill of Sale to be executed as of the date first above written.

ATTEST: Seller: Austin _____

By: _____ By _____

Name: _____

Title: _____

ATTEST: Buyer:

By: _____ By: _____

Name: _____

DONATION AGREEMENT

WHEREAS, Austin _____, a Texas corporation ("Donor"), wishes to make a charitable donation to _____ (the "Donee") of the computer equipment described on Exhibit A (the "Equipment");

WHEREAS, _____, as _____, wishes to accept this charitable donation.

NOW THEREFORE, the parties hereto agree as follows:

The Donor hereby donates and conveys the Equipment (the "Donation") to _____ (the "Donee"), free and clear of charge, without reservation, and free of any lien or encumbrance (unless otherwise noted on Exhibit A). Donor intends to donate the Equipment for the charitable benefit of the Donee.

THE EQUIPMENT IS DONATED AND CONVEYED AS-IS, WHERE-IS, WITHOUT WARRANTY. DONOR MAKES NO WARRANTIES, EITHER EXPRESS OR IMPLIED INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABIITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY WARRANTY THAT THE EQUIPMENT IS YEAR 2000 COMPLIANT.

Donee hereby agrees to accept full and total ownership of the Equipment and assume all liability from and after the date hereof for the use, storage, handling, maintenance, repair, restoration, replacement, relocation, transportation, disposal, and operation thereof in accordance with any applicable federal, state or local laws, rules and regulations.

Donee acknowledges that Donor does not intend to convey to Donee any confidential information or licensed software, except as specifically listed on Exhibit A. Rights to software are assigned by quitclaim, and, to the extent such software is not assignable to Donee, or in the event any confidential information or licensed software is inadvertently transferred with the Equipment, Donee will immediately contact Donor, will refrain from using, copying, reproducing or transmitting such items, and will allow Donor to remove such items from the Equipment as soon as practicable.

Donee hereby represents and warrants to Donor that Donee is exempt from federal income tax as a charitable organization described in Section 501(c)(3) of the Internal Revenue Code, that Donee is not a provide foundation, that contributions to Donee are deductible as charitable contributions under Section 170(c) of the Internal Revenue Code, and that it will provide the Donor in a timely manner the information Donor must obtain under Section 170(f)(8) of the Internal Revenue Code in order to substantiate Donor's charitable contribution deduction for the Donation.

Donee represents that the Equipment is of substantial economic value to its continuing operations and that it will make good use of the Equipment for charitable purposes.

_____, on behalf of the Donee, hereby expressly accepts the donation.

Dated this _____ day of _____

DONOR		DONEE:	
By:	_____	By:	_____
Name:	_____	Name	_____
Title	_____	Title	_____

EXHIBIT A

HARDWARE

DESCRIPTION	SERIAL NO	PRICE or MARKET VALUE
1.		
2.		
3.		
4.		

SOFTWARE

DESCRIPTION	SERIAL NO	PRICE or MARKET VALUE
5.		
6.		
7.		
8.		

SPRAY PAINTING AND PAINT STRIPPING LOG

DEMONSTRATION OF COMPLIANCE WITH

STANDARD EXEMPTION 30 TAC § 106.433

This form must be completed on a daily basis and retained for a period of two years at the plant site after the date the regulated spray painting has occurred

Week of _____

			Air Emissions		
Date	Product Name	Amount Used (Gal.)	Hours of Usage	Lbs/Hour	Lbs/Day

Total Weekly Emissions From All Regulated Products Usage of This Product _____

Total Weekly Emissions From Total Weekly Emissions _____

To conservatively calculate air emissions in pounds, multiply gallons of product used by the specific gravity of the product, as found in its Material Safety Data Sheet (MSDS). For example, the specific gravity of water is about 8.34 pounds per gallon; therefore, ten gallons of water weighs about 83.4 pounds.

Operating Checklist for 55 Gallon Drums

Project: _____ **Location:** _____

		Yes	No
1.	Spring loaded spouts used when drums are in cradles	☐	☐
2.	Drums correctly and accurately labeled in accordance with HazCom, DOT and environmental laws?	☐	☐
3.	Are the bungs in place on all drums?	☐	☐
4.	Drums stored inside secondary containment with ground liner?	☐	☐
5.	Partially empty drums covered and drained into other drums containing the same material (review MSDS to ensure that incompatible materials are not combined)?	☐	☐
6.	Is the secondary containment area covered?	☐	☐
7.	Is there standing water in any secondary containment area?	☐	☐
8.	Are drums buried at the construction site?	☐	☐
9.	Are drums crushed or disposed in dumpsters?	☐	☐
10.	Are drums shipped back to the equipment yard for storage?	☐	☐
11.	Do subcontractors responsibly manage their own drums at the site (including lawful storage, maintenance, removal and disposal)?	☐	☐

_____ _____

Signature of Supervisor Completing Survey **Survey Date**

_____ _____

Signature of Company Safety, Health and Environmental Director **Date**

EPA Title 40 – Protection of Environment
Appendix A to Part 355 – The List of Extremely Hazardous Substances (Excerpted)

Chemical Name	CAS Number	Chemical Name	CAS Number	Chemical Name	CAS Number
A		Benzotrichloride	98-07-7	Chloroethyl Chloroformate	627-11-2
Acetone Cyanohydrin	75-86-5	Benzyl Chloride	100-44-7	Chloroform	67-66-3
Acetone Thiosemicarbazide	1752-30-3	Benzyl Cyanide	140-29-4	Chloromethyl Ether	542-88-1
Acrolein	107-02-8	Bicyclo [2.2.1]Heptane-2-	15271-41-7	Chloromethyl Methyl Ether	107-30-2
Acrylamide	79-06-1	Carbonitrile,5-Chloro-6		Chlorophacione	3691-35-8
Acrylonitrile	107-13-1	(((Methylamino)Carbonyl)		Chloroxuron	1982-47-4
Acrylyl Chloride	814-68-6	Oxy)Imino)-,(1s-(1-alpha		Chlorthiophos	21923-23-9
Adiponitrile	111-69-3	2-beta, 4-alpha, 5-alpha,6E))-		Chromic Chloride	10025-73-7
Aldicarb	116-06-3	Bis(Chloromethyl) Ketone	534-07-6	Cobalt, ((2,2'-(1,2-	62207-76-5
Aldrin	309-00-2	Bitoscanate	4044-65-9	Ethanediylbis (Nitrilomethylidyne))	
Allyl Alcohol	107-18-6	Boron Trichloride	10294-34-5	Bis(6-Fluorophenolato))(2-)	
Allylamine	107-11-9	Boron Trifluoride	7637-07-2	-N,N',0,0')-	
Aluminum Phosphide	20859-73-8	Boron Trifluoride Compound	353-42-4	Cobalt Carbonyl	10210-68-1
Aminopterin	54-62-6	With Methyl Ether (1:1)		Colchicine	64-86-8
Amiton	78-53-5	Bromadiolone	28772-56-7	Coumaphos	56-72-4
Amiton Oxalate	3734-97-2	Bromine	7726-95-6	Coumatetralyl	5836-29-3
Ammonia	7664-41-7	**C**		Cresol, o-	95-48-7
Amphetamine	300-62-9	Cadmium Oxide	1306-19-0	Crimidine	535-89-7
Aniline	62-53-3	Cadmium Stearate	2223-93-0	Crotonaldehyde	4170-30-3
Aniline, 2,4,6-Trimethyl-	88-05-1	Calcium Arsenate	7778-44-1	Crotonaldehyde, (E)	123-73-9
Antimony Pentaflouride	7783-70-2	Camohechlor	8001-35-2	Cyanogen Bromide	506-68-3
Antimycin A	1397-94-0	Cantharidin	56-25-7	Cyanogen Iodide	506-78-5
ANTU	86-88-4	Carbachol Chloride	51-83-2	Cyanophos	2636-26-2
Arsenic Pentoxide	1303-28-2	Carbamic Acid, Methyl-,	26419-73-8	Cyanuric Fluoride	675-14-9
Arsenous Oxide	1327-53-3	0-(((2,4-Dimethyl-1, 3-		Cycloheximide	66-81-9
Arsenous Trichloride	7784-34-1	Dithiolan-2-yl)Methylene)		Cyclohexylamine	108-91-8
Arsine	7784-42-1	Amino)-		**D**	
Azinphos-Ethyl	2642-71-9	Carbofuran	1563-66-2	Decaborane (14)	17702-41-9
Azinphos-Methyl	86-50-0	Carbon Disulfide	75-15-0	Demeton	8065-48-3
B		Carbophenothion	786-19-6	Demeton-S-Methyl	919-86-8
Benzal Chloride	98-87-3	Chlordane	57-74-9	Dialifor	10311-84-9
Benzenamine, 3-(Trifluoromethyl)	98-16-8	Chlorfenvinfos	470-90-6	Diborane	19287-45-7
Benzene, 1-(Chloromethyl	100-14-1	Chlorine	7782-50-5	Dichloroethylether	111-44-4
-4-Nitro		Chlormephos	24934-91-6	Dichloromethylphenylsilane	149-74-6
Benzenearsonic Acid	98-05-5	Chlormequat Chloride	999-81-5	Dichlorvos	62-73-7
Benzimidazole, 4,5-Dichloro	3615-21-2	Chloroacetic Acid	79-11-8	Dicrotophos	141-66-2
-2-(Trifluoromethyl)		Chloroethanol	107-07-3	Diepoxybutane	1464-53-5

EPA Title 40 – Protection of Environment
Appendix A to Part 355 – The List of Extremely Hazardous Substances (Excerpted)

Chemical Name	CAS Number	Chemical Name	CAS Number	Chemical Name	CAS Number
Diethyl Chlorophosphate	814-49-3	Ethylbis (2-Chloroethyl)	538-07-8	Hydrogen Selenide	7783-07-5
Digitoxin	71-63-6	Amine		Hydrogen Sulfide	7783-06-4
Diglycidyl Ether	2238-07-5	Ethylene Fluorohydrin	371-62-0	Hydroquinone	1123-31-9
Digoxin	20830-75-5	Ethylene Oxide	75-21-8	**I**	
Dimefox	115-26-4	Ethylenediamine	107-15-3	Iron, Pentacarbonyl-	13463-40-6
Dimethoate	60-51-5	Ethyleneimine	151-56-4	Isobenzan	297-78-9
Dimethyl	2524-03-0	Ethylthiocyanate	542-90-5	Isobutyronitrile	78-82-0
Phosphorochloridothioate		**F**		Isocyanic Acid,	102-36-3
Dimethyl sulfate	77-78-1	Fenamiphos	22224-92-6	3,4-Dichlorophenyl Ester	
Dimethyldichlorosilane	75-78-5	Fensulfothion	115-90-2	Isodrin	465-73-6
Dimethylhydrazine	57-14-7	Fluenetil	4301-50-2	Isofluorphate	55-91-4
Dimethyl-p-Phenylenediamine	99-98-9	Fluorine	7782-41-4	Isophorone Diisocyanate	4098-71-9
Dimetilan	644-64-4	Fluoroacetamide	640-19-7	Isopropyl Chloroformate	108-23-6
Dinitrocresol	534-52-1	Fluoroacetic Acid	144-49-0	Isopropylmethylpyrazolyl	119-38-0
Dinoseb	88-85-7	Fluoroacetyl Chloride	359-06-8	Dimethylcarbamate	
Dinoterb	1420-07-1	Fluorouracil	51-21-8	**L**	
Dioxathion	78-34-2	Fonofos	944-22-9	Lactonitrile	78-97-7
Diphacinone	82-66-6	Formaldehyde	50-00-0	Leptophos	21609-90-5
Diphosphoramide, Octamethyl-	152-16-9	Formaldehyde Cyanohydrin	107-16-4	Lewisite	541-25-3
Disulfoton	198-04-4	Formetanate Hydrochloride	23422-53-9	Lindane	58-89-9
Dithiazanine Iodide	514-73-8	Formothion	2540-82-1	Lithium Hydride	7580-67-8
Dithiobiuret	541-53-7	Formparanate	17702-57-7	**M**	
E		Fosthietan	21548-32-3	Malonoitrile	109-77-3
Emetine, Dihydrochloride	316-42-7	Fuberidazole	3878-19-1	Manganese Tricarbonyl	12108-13-3
Endosulfan	115-29-7	Furan	110-00-9	Methylcyclopentadienyl	
Endothion	2778-04-3	**G**		Mechlorethamine	51-75-2
Endrin	72-20-8	Gallium Trichloride	13450-90-3	Mephosfolan	950-10-7
Epichlorohydrin	106-89-8	**H**		Mercuric Acetate	1600-27-7
EPN	2104-64-5	Hexachlorocyclopentadiene	77-47-4	Mercuric Chloride	7487-94-7
Ergocalciderol	50-14-6	Hexamethyllenediamine,	4835-11-4	Mercuric Oxide	21908-53-2
Ergotamine Tartrate	379-79-3	N,N'-Dibutyl-		Methacrolein Diacetate	10476-95-6
Ethanesulfonyl Chloride,	1622-32-8	Hydrazine	302-01-2	Methacrylic Anhydride	760-93-0
2-Chloro-		Hydrocyanic Acid	74-90-8	Methacrylonitrile	126-98-7
Ethanol, 1,2-Dichloro-,	10140-87-1	Hydrogen Chloride (gas only)	7647-01-0	Methacryloyl Chloride	920-46-7
Acetate		Hydrogen Fluoride	7664-39-3	Methacryloyloxyethyl	30674-80-7
Ethion	563-12-2	Hydrogen Peroxide	7722-84-1	Isocyanate	
Ethoprophos	13194-48-4	(Conc > 52%)		Methamidophos	10265-92-6

EPA Title 40 – Protection of Environment
Appendix A to Part 355 – The List of Extremely Hazardous Substances (Excerpted)

Chemical Name	CAS Number	Chemical Name	CAS Number	Chemical Name	CAS Number
Methanesulfonyl Fluoride	558-25-8	Oubain	630-60-4	Phosphonothioic Acid,	50782-69-9
Methidathion	950-37-8	Oxamyl	23135-22-0	Methyl-,S-(2- (Bis	
Methiocarb	2032-65-7	Oxetane, 3,3-Bis	78-71-7	(1Methylethyl) Amino)	
Methomyl	16752-77-5	(Chloromethyl)-		Phosphonothioic Acid,	2665-30-7
Methoxyethymercuris Acetate	151-38-2	Oxydisulfoton	2497-07-6	Methyl-, 0- (4-Nitrophenyl)	
Methyl 2-Chloroacrylate	80-63-7	Ozone	10028-15-6	0-Phenyl Ester	
Methyl Bromide	74-83-9	**P**		Phosphoric Acid,	3254-63-5
Methyl Chloroformate	79-22-1	Paraquat Dichloride	1910-42-5	Dimethyl 4- (Methylthio)	
Methyl Hydrazine	60-34-4	Paraquat Methosulfate	2074-50-2	Pheny 1 Ester	
Methyl Isocyanate	624-83-9	Parathion	56-38-2	Phosphorothioic Acid,	2587-90-8
Methyl Isothiocyanate	556-61-6	Parathion-Methyl	298-00-0	0,0- Dimethyl-S-(2-	
Methyl Mercaptan	74-93-1	Paris Green	12002-03-8	Methylthio) Ethyl Ester	
Methyl Phenkapton	3735-23-7	Pentaborane	19624-22-7	Phosphorus	7723-14-0
Methyl Phosphonic Dichloride	676-97-1	Pentadecylamine	2570-26-5	Phosphorus Oxychloride	10025-87-3
Methyl Thiocyanate	556-64-9	Peracetic Acid	79-21-0	Phosphorus Pentachloride	10026-13-8
Methyl Vinyl Ketone	78-94-4	Perchloromethylercaptan	594-42-3	Phosphorus Trichloride	7719-12-2
Methylmercuric Dicyanamide	502-39-6	Phenol	108-95-2	Physostigmine	57-47-6
Methyltrichlorosilane	75-79-6	Phenol, 2,2'-Thiobis	4418-66-0	Physostigmine,	57-64-7
Metolcarb	1129-41-5	(4-Chloro-6-Methyl)-		Salicylate (1:1)	
Mevinphos	7786-34-7	Phenol, 3-(1-Methyethyl)-,	64-00-6	Picrotoxin	124-87-8
Mexacarbate	315-18-4	Methylcarbarmate		Piperidine	110-89-4
Mitomycin C	50-07-7	Phenoxarsine, 10,10'-Oxydi-	58-36-6	Pirimifos-Ethyl	23505-41-1
Monocrotophos	6923-22-4	Phenyl Dichloroarsine	696-28-6	Potassium Arsenite	10124-50-2
Muscimol	2763-96-4	Phenylhydrazine Hydrochloride	59-88-1	Potassium Cyanide	151-50-8
Mustard Gas	505-60-2	Phenylmercury Acetate	62-38-4	Potassium Silver Cyanide	506-61-6
N		Phenylsilatrane	2097-19-0	Promecarb	2631-37-0
Nickel Carbonyl	13463-39-3	Phenylthiourea	103-85-5	Propargyl Bromide	106-96-7
Nicotine	54-11-5	Phorate	298-02-2	Propiolactone, Beta-	57-57-8
Nicotine Sulfate	65-30-5	Phosacetim	4104-14-7	Propionitrile	107-12-0
Nitric Acid	7697-37-2	Phosfolan	947-02-4	Propionitrile, 3-Chloro-	542-76-7
Nitric Oxide	10102-43-9	Phosgene	75-44-5	Propiophenone, 4- Amino-	70-69-9
Nitrobenzene	98-95-3	Phosmet	732-11-6	Propyl Chloroformate	109-61-5
Nitrocyclohexane	1122-60-7	Phosphamidon	13171-21-6	Propylene Oxide	75-56-9
Nitrogen Dioxide	10102-44-0	Phosphine	7803-51-2	Propyleneimine	75-55-8
Nitrosodimethylamine	62-75-9	Phosphonothioic Acid,	2703-13-1	Prothoate	2275-18-5
Norbormide	991-42-4	Methyl-,0-Ethyl 0-(4-		Pyrene	129-00-0
O		(Methylthio) Phenyl) Ester		Pyridine, 2-Methyl-	140-76-1
Organorhodium Complex	0			5-Vinyl-	
(PMN-82-147)				Pyridine, 4-Amino-	504-24-5

EPA Title 40 – Protection of Environment
Appendix A to Part 355 – The List of Extremely Hazardous Substances (Excerpted)

Chemical Name	CAS Number	Chemical Name	CAS Number	Chemical Name	CAS Number
Pyridine, 4-Nitro-,	1124-33-0	Thallium Sulfate	10031-59-1	**X**	
1-Oxide		Thallous Carbonate	6533-73-9	Xylylene Dichloride	28347-13-9
Pyriminil	53558-25-1	Thallous Chloride	7791-12-0	**Z**	
S		Thallous Malonate	2757-18-8	Zinc, Dichloro (4,4-Dimethyl-	58270-08-9
Salcomine	14167-18-1	Thallous Sulfate	7446-18-6	5(((Methylamino Carbonyl)	
Sarin	107-44-8	Thiocarbazide	2231-57-4	Oxy)Imino)Pentanenitrile)-,	
Selenious Acid	7783-00-8	Thiofanox	39196-18-4	(T-4)-	
Selenium Oxychloride	7791-23-3	Thionazin	297-97-2	Zinc Phosphide	1314-84-7
Semicarbazide Hydrochloride	563-41-7	Thiophenol	108-98-5		
Silane, (4-Aminobutyl)	3037-72-7	Thiosemicarbazide	79-19-6		
Diethoxymethyl-		Thiorea, (2-Chlorophenyl)-	5344-82-1		
Sodium Arsenate	7631-89-2	Thiorea, (2-Methylphenyl)-	614-78-8		
Sodium Arsenite	7784-46-5	Titanium Tetrachloride	7550-45-0		
Sodium Azide (Na(N<INF>3))	26628-22-8	Toluene 2,4-Diisocyanate	584-84-9		
Sodium Cacodylate	124-65-2	Toluene 2,6-Diisocyanate	91-08-7		
Sodium Cyanide ((Na(CN))	143-33-9	Trans-1,4-Dichlorobutene	110-57-6		
Sodium Fluoroacetate	62-74-8	Triamiphos	1031-47-6		
Sodium Selenate	13410-01-0	Triazofos	24017-47-8		
Sodium Selenite	10102-18-8	Trichloroacetyl Chloride	76-02-8		
Sodium Tellurite	10102-20-2	Trichloroethylsilane	115-21-9		
Stannane, Acetoxytriphenyl-	900-95-8	Trichloronate	327-98-0		
Strychnine	57-34-9	Trichlorophenylsilane	98-13-5		
Strychnine Sulfate	60-41-3	Trichloro (Chloromethyl)	1558-25-4		
Sulfotep	3689-24-5	Silane			
Sulfoxide, 3-Chloropropyl	3569-57-1	Trichloro (Dichlorophenyl)	27137-85-5		
Octyl		Silane			
Sulfur Dioxide	7446-09-5	Triethoxysilane	998-30-1		
Sulfur Tetrafluoride	7783-60-0	Trimethylchlorosilane	75-77-4		
Sulfur Trioxide	7446-11-9	Trimethylolpropane Phosphite	824-11-3		
Sulfuric Acid	7664-93-9	Trimethyltin Chloride	1066-45-1		
T		Triphenyltin Chloride	639-58-7		
Tabun	77-81-6	Tris (2-Chloroethyl) Amine	555-77-1		
Tellurium Hexafluoride	7783-80-4	**U**			
TEPP	107-79-9	Valinomycin	2001-95-8		
Terbufos	13071-79-9	Vanadium Pentoxide	1314-62-1		
Tetraethyllead	78-00-2	Vinyl Acetate Monomer	108-05-4		
Tetraethyltin	597-64-8	**W**			
Tetramethyllead	75-74-1	Warfarin	81-81-2		
Tetranitromethane	509-14-8	Warfarin Sodium	129-06-6		

TEXAS Department of State Health Services

For Office Use Only:
Notification #:_____

ASBESTOS/DEMOLITION NOTIFICATION FORM

DO NOT WRITE IN THIS BOX- FOR DEPARTMENT USE ONLY
Date received:___/___/___ Postmark date:___/___/___ Walk-in date:___/___/___

TYPE OF NOTIFICATION: ***(Select one and fill in the requested information)***

☐ **ORIGINAL** ☐ **AMENDMENT No. ___** ☐ **CANCELLATION**

☐ **EMERGENCY**

- Was emergency request made to the Regional Office or Environmental Health Notifications Group (EHNG) by phone?

☐Yes ☐No

- If yes, the DSHS reference #:____and name of the Regional or EHNG representative with whom you spoke?
  Date: __/__/__ Time: ☐a.m. ☐p.m.
- Describe the reason for Emergency:

☐ **ORDERED:** ***(For structurally unsound facilities, attach copy of demolition order and identify Governmental Official)***

Name: _____ Registration No. _____
Title: _____
Date of order (MM/DD/YY): __/__/__ Date order to begin (MM/DD/YY): __/__/__

(x) Below if Amended

AMENDMENTS: ***You must complete the entire form and mark the appropriate check box(es) along the left-hand side of this form to indicate amended information.***

A. TYPE OF WORK

☐ Asbestos Abatement ☐ Demolition ☐ Annual Consolidated O&M ☐ Abatement/Demolition
Is this a phased project? ☐ Yes ☐ No

B. FACILITY INFORMATION

1. Facility Location

☐ Description or Facility Name:
☐ Physical Address:
☐ County: _____ City: _____Zip: _____
Facility Contact: _____ Phone #:(__)___-____

2. Type of Facility (*Select one*)

☐ Public ☐ Federal ☐ Industrial/Manufacturing ☐ NESHAP-Only ☐ Public School K-12

3. Facility Details

☐ Description of Area/Room Number:
☐ Age of Building: ____Size: ____Number of Floors: ___
☐ Is this building occupied? ☐ Yes ☐ No
☐ Prior Use:
☐ Future Use:
☐ Date of Asbestos Survey/NESHAP Inspection: __/__/__
☐ DSHS Inspector License #: _____
☐ Analytical Method: ☐ PLM ☐ TEM ☐ Assumed Asbestos ☐ No Suspect Material
☐ DSHS Laboratory License #: _____

WORK SCHEDULE/ASBESTOS AMOUNTS ***(Note: if the start date(s) entered below cannot be met, the DSHS Regional or Local Program office must be notified prior to the scheduled start date. Failure to do so is a violation of TAHPA Section 295.61.)***

1. Asbestos Abatement Work Schedule

Start date: ___/___/___ and End date: ___/___/___

☐ Work days: ☐Mon. ☐ Tues. ☐ Wed. ☐ Thurs. ☐ Fri. ☐ Sat. ☐ Sun.

☐ Working hours: ___☐ a.m. ☐ p.m. to ___☐a.m. ☐p.m.

2. Demolition Work Schedule

☐ Start date: ___/___/___ and End date: ___/___/___

☐ Work days: ☐Mon. ☐Tues. ☐ Wed. ☐ Thurs. ☐ Fri. ☐ Sat. ☐ Sun.

☐ Working hours: ___☐ a.m. ☐ p.m. to ___☐a.m. ☐p.m.

(x) Below if Amended

C. ASBESTOS AMOUNTS

☐…… Is Asbestos Present? ☐ Yes ☐ No ***(Complete the table below if asbestos is present)***

Asbestos-Containing Building Material Type	**Approximate amount of Asbestos**						
Only mark the boxes below on this chart if they are being amended	**Pipes**	**Ln Ft**	**Ln M**	**Surface Area**	**SQ Ft**	**SQ M**	**Cu Ft**
☐**RACM to be removed**		☐	☐		☐	☐	
☐**RACM left in place during demolition**		☐	☐		☐	☐	
☐**Interior Category I non-friable removed**		☐	☐		☐	☐	
☐**Exterior Category I non-friable removed**		☐	☐		☐	☐	
☐**Category I non-friable left in place during demolition**		☐	☐		☐	☐	
☐**Interior Category II non-friable removed**		☐	☐		☐	☐	
☐**Exterior Category II non-friable removed**		☐	☐		☐	☐	
☐**Category II non-friable left in place during demolition**		☐	☐		☐	☐	
☐**RACM Off-Facility Component**							

DESCRIPTION OF WORK PRACTICES AND PROCEDURES

☐ 1. Description of procedures to be followed in the event that unexpected asbestos is found or previously non-friable asbestos material becomes crumbled, pulverized, or reduced to powder:

☐ 2. Description of planned demolition or abatement work, type of material, and method(s) to be used:

☐ 3. Description of work practices and engineering controls to be used to prevent emissions of asbestos at the demolition site:

PROJECT INFORMATION

☐ **A. FACILITY OWNER**

Facility Owner Name:
Phone #: (___) ___-___
Attention:
Mailing Address:
City: _____ State: ___Zip: _____

☐ **B. ASBESTOS ABATEMENT CONTRACTOR #1**

DSHS Asbestos Contractor License #: _____
Contractor Name: _____

Address: _____
City: _____ State: _____ Zip: _____
Office Phone #: ( ) - Job-Site Phone #: ( ) -

☐ **C. ASBESTOS ABATEMENT CONTRACTOR #2** (***Only if there is more than one Contractor)***
DSHS Asbestos Contractor License #: _____
Contractor Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Office Phone #: ( ) - Job-Site Phone #: ( ) -

D. ASBESTOS SUPERVISOR
☐ DSHS Supervisor License #: _____ Site Supervisor: _____
☐ DSHS Supervisor License #: _____ Site Supervisor: _____

(x) Below if Amended

E. NESHAP TRAINED INDIVIDUAL
☐ NESHAP Trained Individual: _____
Certification Date: __/__/__

☐ **F. DEMOLITION CONTRACTOR**
Demolition Contractor: _____
Address: _____
City: _____ State: _____ Zip: _____ Phone #: ( ) -

☐ **G. PROJECT CONSULTANT OR OPERATOR**
DSHS License No.: _____
Project Consultant or Operator: _____
Address: _____
City: _____ State: _____ Zip: _____ Phone #: ( ) -

☐ **H. Waste Transporter**
DSHS Waste Transporter License #: _____
Waste Transporter: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____ Phone #: ( ) -

☐ **I. Waste Disposal Site**
TCEQ Permit #: _____
Waste Disposal Site: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone #: ( ) -

CERTIFICATION STATEMENT

I hereby declare that I have examined this notification and, to the best of my knowledge and belief, all information provided is complete, true, and correct. I affirm that I am the owner, operator, or delegated agent and that I am responsible for the fee associated with this notification. I also understand that the owner, operator, or delegated agent is responsible for notification to the department.

Date: / /

(Signature of Owner, Operator or Delegated Agent)

(Printed Name & Title)

E-mail Address: Phone #: ( ) -

IMPORTANT INFORMATION

NOTIFICATION TIMELINESS REQUIREMENT:
Your Asbestos/Demolition Notification form must be postmarked no less than ten working days (not calendar days) prior to the start of any asbestos abatement or demolition.

FILING FEE: An invoice will be mailed to the facility owner upon completion of the project.

CALL FOR ASSISTANCE: (512) 834-6747 or (888) 778-9440 (toll free in Texas)

MAIL FORM TO:
ENVIRONMENTAL HEALTH NOTIFICATIONS GROUP
TEXAS DEPARTMENT OF STATE HEALTH SERVICES
PO BOX 143538
AUSTIN, TX 78714-3538

Texas Commission on Environmental Quality
Registration for Permits by Rule (PBR)
Form PI-7 Submission Form

I. REGISTRANT INFORMATION			
A. TCEQ Customer Reference Number:	CN-	TCEQ Regulated Entity Number:	RN-
Note: If "NO," CN or RN number was entered above; please fill out the required Core Data Form, which will be available in Step II of the submittal process.			
B. Company or Other Legal Customer Name:			
Company Official Contact Name:		Title:	
Mailing Address:			
City:		State:	Zip Code:
Phone No.:	Fax No.:	E-mail Address:	
C. Technical Contact Name:			
Company:			
Mailing Address:			
City:		State:	Zip Code:
Phone No. :	Fax No.:	E-mail Address:	
D. Facility Location Information - Street Address:			
If "NO," street address, provide written driving directions to the site: (attach description if additional space is needed)			
City:	County:	Zip Code:	

II. FACILITY AND SITE INFORMATION		
A. Name and Type of Facility:		☐ Permanent ☐ Portable
B. PBR claimed under **30 TAC § 106** *(List all that apply in hard copy, or choose all that apply from the drop down menus in electronic version):*		
§ 106.	§ 106.	
§ 106.	§ 106.	
§ 106.	§ 106.	
Are you claiming a **historical standard exemption or PBR**?		☐ YES ☐ NO
If "YES," enter effective date and Rule Number:		

Texas Commission on Environmental Quality
Registration for Permits by Rule (PBR)
Form PI-7 Submission Form

II. FACILITY AND SITE INFORMATION			
C. Is there a previous Standard Exemption or PBR for the facility in this registration? (Attach details regarding changes)			☐ YES ☐ NO
If "YES," enter Registration Number and Rule Number:			
D. Are there any **other facilities** at this **site** which are **authorized by an Air Standard Exemption or PBR**?			☐ YES ☐ NO
If "YES," enter Registration Number and Rule Number:			
E. Are there any **other air preconstruction permits** at this site?			☐ YES ☐ NO
If "YES," enter Permit Numbers:			
Are there any other air preconstruction permits at this site that would be directly associated with this project?			☐ YES ☐ NO
If "YES," enter Permit Numbers:			
F. Is this facility located at a site which is required to obtain a federal operating permit pursuant to 30 TAC Chapter 122?			☐ YES ☐ NO ☐ To be Determined
If the site currently has an existing federal operating permit, enter the permit number:			
Identify the requirements of 30 TAC Chapter 122 that will be triggered if this claim is accepted: (*check all that apply*) ☐ Initial Application for an FOP ☐ Significant Revision for SOP ☐ Minor Revision for SOP ☐ Operational Flexibility/Off Permit ☐ Revision for GOP ☐ To be Determined ☐ None Notification for an SOP			
Identify the type(s) issued and/or FOP application(s) submitted/pending for the site: (*check all that apply*) ☐ SOP ☐ GOP ☐ GOP application/revision application: *(submitted or under APD review)* ☐ SOP application/revision application: *(submitted or under APD review)* ☐ N/A			
G. TCEQ Account Identification Number: *(if known)*			
III. FEE INFORMATION			
To determine if a fee is required answer the following question. If "YES," to question III. A., a fee is not required, skip to Section IV. If "NO," to answer II. A., then go to Section III. B. See Section VI. for address to send fee or go to www.2.tceq.state.tx.us/epay to pay online.			
A. Is this registration an update to a previously registered facility and accompanied by a Certification Form solely to establish a federally enforceable emission limit?			☐ *YES* ☐ *NO*
B. What is the fee amount?			

Texas Commission on Environmental Quality
Registration for Permits by Rule (PBR)
Form PI-7 Submission Form

III. FEE INFORMATION			
To determine if a fee is required answer the following question. If "YES," to question III. A., a fee is not required, skip to Section IV. If "NO," to answer II. A., then go to Section III. B. See Section VI. for address to send fee or go to www.2.tceq.state.tx.us/epay to pay online.			
*If "YES," to any of the following three questions, a **$100** fee is require. Otherwise, a **$450** fee is required.*			
Does this business have less than 100 employees or have less than 6 million dollars in annual gross receipts?			☐ YES ☐ NO
Is this registration submitted by a governmental entity with a population of less than 10,000?			☐ YES ☐ NO
C. Check/Money Order or Transaction Number *(Payable to TCEQ)*:		*Was fee **Paid** online?*	☐ YES ☐ NO
Company name of check:		Fee amount:	$
IV. SELECTED FACILITY REVIEWS ONLY–TECHNICAL INFORMATION ***Note: If claiming one of the following PBRs, complete this section, then skip to Section VI., "Submitting your registration" below:*** ***Animal Feeding Operations § 106.161, Livestock Auction Facilities § 106.162, Saw Mills § 106.223, Grain Handling, Storage and Drying § 106.283, Auto Body Refinishing Facilities § 106.436, Air Curtain Incinerator § 106.496***			
A. Is the applicable PBR checklist attached which shows the facility meets all general and specific requirements of the PBR(s) being claimed?			☐ YES ☐ NO
B. Distance from this facility's emission release point to the nearest property line:			feet
Distance from this facility's emission release point to the nearest off-property structure:			feet
V. TECHNICAL INFORMATION INCLUDING STATE AND FEDERAL REGULATORY REQUIREMENTS ***Registrants must be in compliance with all applicable state and federal regulations and standards to claim a PBR.***			
A. Is Confidential information submitted and properly marked "CONFIDENTIAL" with this registration?			☐ YES ☐ NO
B. Is a process flow diagram or a process description attached?			☐ YES ☐ NO
C. Are emissions data and calculations for this claim attached?			☐ YES ☐ NO
D. Is information attached showing how the **general** requirements (**30 TAC § 106.4**) of the PBR is met for this Registration? (**PBR checklists** may be used, but are optional)			☐ YES ☐ NO
*Note: Please be reminded that if the facilities listed in this registration are subject to the Mass Emissions Cap & Trade program under **30 TAC Chapter 101**, **Subchapter H, Division 3**, the owner/operator of these facilities must possess NO_x allowances equivalent to the actual NO_x emissions from these facilities.*			
E. Is information attached showing how the **specific PBR** requirements are met for this registration? (***PBR checklist** may be used, but are optional*)			☐ YES ☐ NO

V.	**TECHNICAL INFORMATION INCLUDING STATE AND FEDERAL REGULATORY REQUIREMENTS** ***Registrants must be in compliance with all applicable state and federal regulations and standards to claim a PBR.***	
F.	Distance from this facility's emission release point to the nearest property line:	feet
	Distance from this facility's emission release point to the nearest off-property structure:	feet
Note:	*In limited cases, a map or drawing of the site and surrounding land use may be requested during the technical review or at the request of the TCEQ Regional Office or local air pollution control program during an investigation.*	

VI.	**SUBMITTING YOUR REGISTRATION**		
A.	**FEES – Pick one of the two options below for payment:**		
Who		***Where***	***What***
1.	Fee Paid Online	**Go to Website** www6.tceq.state.tx.us/epay	No Additional Action Needed
2.	Fee Mailed to Revenue Section, TCEQ	Regular, Certified, Priority Mail MC 214, P.O. Box 13088 Austin, Texas 78711-3088 Hand Delivery, Overnight Mail MC 214, 12100 Park 35 Circle, Building A, Third Floor, Austin, Texas 78753	Original Money Order or Check Copy of Form PI-7 and Core Data Form
B.	**COPIES OF THE REGISTRATION – Copies must be sent as listed below:** **Processing delays may occur if copies are not sent as noted.**		
1.	Hard Copy Only Air Permits Initial Review Team (APIRT)	Regular, Certified, Priority Mail MC161, P.O. Box 13087 Austin, Texas 78711-3087 Hand Delivery, Overnight Mail MC 161, 12100 Park 35 Circle, Building C, Third Floor, Austin, Texas 78753 Fax No.: (512) 239-2123 (*do not follow fax with paper copies)*	Originals Form PI-7, Core Data Form, and all attachments
2.	Appropriate local and TCEQ Regional Office Programs	To Find your local or Regional Air Pollution Control Programs go to the TCEQ, APD Website at www.tceq.state.tx.us/nav/permits/air_permits.html or call (512) 239-1250	Copy of Form PI-7, Core Data Form, and all attachments to each office.
3.	Print	(Blank for Print Button)	Prints a Hard Copy of the Form PI-7

LARGE CONSTRUCTION SITE NOTICE

FOR THE

Texas Commission on Environmental Quality (TCEQ)

Storm Water Program

TPDES GENERAL PERMIT TXR150000

"PRIMARY OPERATOR" NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	
Operator Name:	
Contact Name and Phone Number:	
Project Description: *Physical address or description of the site=s location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	
Location of Storm Water Pollution Prevention Plan:	

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

"SECONDARY OPERATOR" NOTICE

This notice applies to secondary operators of construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	
Operator Name:	
Contact Name and Phone Number:	
Project Description: *Physical address or description of the site=s location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	
Location of Storm Water Pollution Prevention Plan (SWP3):	

For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title_____
Date _____

_____*Date Notice Removed*
____*MS4 operator notified per Part II.F.3.*

SPCC Plan Requirements

If a site is subject to Spill Prevention Control and Countermeasure SPCC Plan requirements, that Plan is required to contain the following:

1. A description of the physical layout and a facility diagram.

2. A contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors, and all appropriate federal, state, and local agencies who must be contacted in case of a discharge.

3. A prediction of the direction, rate of flow, and total quantity of oil that could be discharged where experience indicates a potential for equipment failure.

4. A description of containment and/or diversionary structures or equipment to prevent discharged oil from reaching navigable waters. (For on-shore facilities one of the following must be used at a minimum: dikes, berms, or retaining walls; curbing; culverting, gutters, or other drainage systems; weirs, booms, or other barriers; spill diversion ponds; retention ponds; sorbent materials.)

5. Where appropriate, a demonstration that containment and/or diversionary structures or equipment are not practical, periodic integrity and leak testing of bulk containers and associated valves and piping, oil spill contingency plan; and a written commitment of manpower, equipment and materials to quickly control and remove spilled oil.

6. A complete discussion of the spill prevention and control measures applicable to the facility and/or its operations.

7. A demonstration of management's approval of the SPCC Plan.

8. Certification by a Professional Engineer (P.E.).

APPENDIX G to Part 112-
Tier I Qualified Facility SPCC Plan

This template constitutes the SPCC Plan for the facility, when completed and signed by the owner or operator of a facility that meets the applicability criteria in §112.3(g)(1). This template meets the requirements of 40 CFR part 112. Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or for a facility attended fewer than four hours per day, at the nearest field office.

Facility Description

Facility Name _____

Facility Address _____

City _____ State _____ ZIP _____

County _____ Tel. Number ( ) -

Owner or operator Name _____

Owner or operator Address _____

City _____ State _____ ZIP _____

County _____ Tel. Number ( ) -

I. Self-Certification Statement (§112.6(a)(1))

The owner or operator of a facility certifies that each of the following is true in order to utilize this template to comply with the SPCC requirements:

I _____, certify that the following is accurate:

1. I am familiar with the applicable requirements of 40 CFR part 112;
2. I have visited and examined the facility;
3. This Plan was prepared in accordance with accepted and sound industry practices and standards;
4. Procedures for required inspections and testing have been established in accordance with industry inspection and testing standards or recommended practices;
5. I will fully implement the Plan;
6. This facility meets the following qualification criteria (under §112.3(g)(1)):
    a. The aggregate aboveground oil storage capacity of the facility is 10,000 U.S. gallons or less; or is an onshore oil production facility with no more than two producing wells per single tank battery, each of which produce ten barrels or less of crude oil per well per day if the facility has an injection well; or, is an onshore oil production facility with no more than four producing wells per single tank battery, each of which produce ten barrels or less of crude oil per well per day and with no injection wells at the facility; and
    b. The facility has had no single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons and no two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan self-certification date, or since becoming subject to 40 CFR part 112 if the facility has been in operation for less than three years (not including oil discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism); and
    c. There is no individual oil storage container at the facility with an aboveground

capacity greater than 5,000 U.S. gallons.

7. This Plan does not deviate from any requirement of 40 CFR part 112 as allowed by §112.7(a)(2) (environmental equivalence) and §112.7(d) (impracticability of secondary containment) or include an exemption/measures pursuant to §112.9(c)(6) for produced water containers and any associated piping and appurtenances downstream from the container;.
8. This Plan and individual(s) responsible for implementing this Plan have the full approval of management and I have committed the necessary resources to fully implement this Plan.

I also understand my other obligations relating to the storage of oil at this facility, including, among others:

1. To report an oil discharge to navigable waters or adjoining shorelines to the appropriate authorities. Notification information is included in this Plan.
2. To review and amend this Plan whenever there is a material change at the facility that affects the potential for an oil discharge, and at least once every five years. Reviews and amendments are recorded in an attached log [See Five Year Review Log and Technical Amendment Log in Attachments 1.1 and 1.2.]
3. Optional use of a contingency plan. A contingency plan:
    a. May be used in lieu of secondary containment for qualified oil-filled operational equipment, in accordance with the requirements under §112.7(k), and;
    b. Must be prepared for flowlines and/or intra-facility gathering lines which do not have secondary containment at an oil production facility, and;
    c. Must include an established and documented inspection or monitoring program;
    d. an oil spill contingency plan following the provisions of 40 CFR part 109; and a written commitment of manpower, equipment and materials to expeditiously remove any quantity of oil discharged that may be harmful. If applicable, a copy of the contingency plan and any additional documentation will be attached to this Plan as Attachment 2.

By completing this Plan template, I certify that I have satisfied the requirement to prepare and implement a Plan under §112.3 and all of the requirements under §112.6(a). I certify that the information contained in this Plan is true.

Signature _____ Title: _____
Name _____ Date: ____/____/20___

II. Record of Plan Review and Amendments

Five Year Review (§112.5(b)):

Complete a review and evaluation of this SPCC Plan at least once every five years. As a result of the review, amend this Plan within six months to include more effective prevention and control measures for the facility, if applicable. Implement any amendment as soon as possible, but no later than six months following Plan amendment. Document completion of the review and evaluation, and complete the Five Year Review Log in Attachment 1.1. If the facility no longer meets Tier I qualified facility eligibility, the owner or operator must revise the Plan to meet Tier II qualified facility requirements, or complete a full PE certified Plan.

Table G-1 Technical Amendments (§§112.5(a), (c) and 112.6(a)(2))	
This SPCC Plan will be amended when there is a change in the facility design, construction, operation, or maintenance that materially affects the potential for a discharge to navigable waters or adjoining shorelines. Examples include adding or removing containers, reconstruction, replacement, or installation of piping systems, changes to secondary containment systems, changes in product stored at this facility, or revisions to standard operating procedures.	☐
Any technical amendments to this Plan will be re-certified in accordance with Section I of this Plan template. *[§112.6(a)(2)]* [See Technical Amendment Log in Attachment 1.2]	☐

III. Plan Requirements

1. Oil Storage Containers (§112.7(a)(3)(i)):

Table G-2 Oil Storage Containers and Capacities		
This table includes a complete list of all oil storage containers (aboveground containers[1] and completely buried tanks[2]) with capacity of 55 U.S. gallons or more, unless otherwise exempt from the rule. For mobile/portable containers, an estimate number of containers, types of oil, and anticipated capacities are provided.		☐
Oil Storage Container *(indicate whether aboveground (A) or completely buried (B))*	**Type of Oil**	**Shell Capacity (gallons)**

Total Aboveground Storage Capacity[a] _____ gallons

Total Completely Buried Storage Capacity _____ gallons

Facility Total Oil Storage Capacity _____ gallons

[a]Counts toward qualified facility applicability threshold

2. Secondary Containment and Oil Spill Control (§§112.6(a)(3)(i) and (ii), 112.7(c) and 112.9(c)(2)):

Table G-3 Secondary Containment and Oil Spill Control	
Appropriate secondary containment and/or diversionary structures or equipment[a] is provided for all oil handling containers, equipment, and transfer areas to prevent a discharge to navigable waters or adjoining shorelines. The entire secondary containment system, including walls and floor, is capable of containing oil and is constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before	☐

[1]Aboveground storage containers that must be included when calculating total facility oil storage capacity include: tanks and mobile or portable containers; oil-filled operational equipment (e.g. transformers); other oil-filled equipment, such as flow-through process equipment. Exempt containers that are not included in the capacity calculation include: any container with a storage capacity of less than 55 gallons of oil; containers used exclusively for wastewater treatment; permanently closed containers; motive power containers; hot-mix asphalt containers; heating oil containers used solely at a single-family residence; and pesticide application equipment or related mix containers.

[2] Although the criteria to determine eligibility for qualified facilities focuses on the aboveground oil storage containers at the facility, the completely buried tanks at a qualified facility are still subject to the rule requirements and must be addressed in the template; however, they are not counted toward the qualified facility threshold.

[a] Use one of the following methods of secondary containment or its equivalent: (1) Dikes, berms, or retaining walls sufficiently impervious to contain oil; (2) Curbing; (3) Culverting, gutters, or other drainage systems; (4) Weirs, booms, or other barriers; (5) Spill diversion ponds; (6) Retention ponds; or (7) Sorbent materials.

Table G-4 below identifies the tanks and containers at the facility with the potential for an oil discharge; the mode of failure; the flow direction and potential quantity of the discharge; and the secondary containment method and containment capacity that is provided.

Table G-4 Containers with Potential for an Oil Discharge					
Area	Type of failure (discharge scenario)	Potential discharge volume (gallons)	Direction of flow for uncontained discharge	Secondary containment method[a]	Secondary containment capacity (gallons)
Bulk Storage Containers and Mobile/Portable Containers[b]					
Oil-filled Operational Equipment (e.g., hydraulic equipment, transformers)[c]					
Piping, Valves, etc.					
Product Transfer Areas (location where oil is loaded to or from a container, pipe or other piece of equipment.)					
Other Oil-Handling Areas or Oil-Filled Equipment (e.g. flow-through process vessels at an oil production facility)					

[a] Use one of the following methods of secondary containment or its equivalent: (1) Dikes, berms, or retaining walls sufficiently impervious to contain oil; (2) Curbing; (3) Culverting, gutters, or other drainage systems; (4) Weirs, booms, or other barriers; (5) Spill diversion ponds; (6) Retention ponds; or (7) Sorbent materials.

[b] For storage tanks and bulk storage containers, the secondary containment capacity must be at least the capacity of the largest container plus additional capacity to contain rainfall or other precipitation.

[c] For oil-filled operational equipment: Document in the table above if alternative measures to secondary containment (as described in §112.7(k)) are implemented at the facility.

3. Inspections, Testing, Recordkeeping and Personnel Training (§§112.7(e) and (f), 112.8(c)(6), 112.12(c)(6)):

Table G-5 Inspections, Testing, Recordkeeping and Personnel Training	
An inspection and testing program is implemented for all aboveground storage containers and piping at this facility. *[§112.8(c)(6), 112.12(c)(6)]*	☐
The following is a description of the inspection and testing program (e.g. reference to industry standard utilized, scope, frequency, method of inspection or test, and person conducting the inspection) for all aboveground storage containers and piping at this facility:	

Inspections, tests, and records are conducted in accordance with written procedures developed for the facility. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph. *[§112.7(e)]*	☐
A record of the inspections and tests are kept at the facility or with the SPCC Plan for a period of three years. *[§112.7(e)]* [See Inspection Log and Schedule in Attachment 3.1]	☐
Inspections and tests are signed by the appropriate supervisor or inspector. *[§112.7(e)]*	☐
Personnel, training, and discharge prevention procedures [§112.7(f)]	
Oil-handling personnel are trained in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan. *[§112.7(f)]*	☐
A person who reports to facility management is designated and accountable for discharge prevention. *[§112.7(f)]* Name/Title:_____	☐
Discharge prevention briefings are conducted for oil-handling personnel annually to assure adequate understanding of the SPCC Plan for that facility. Such briefings highlight and describe past reportable discharges or failures, malfunctioning components, and any recently developed precautionary measures. *[§112.7(f)]* [See Oil-handling Personnel Training and Briefing Log in Attachment 3.4]	☐

4. Security (excluding oil production facilities) §112.7(g):

Table G-6 Implementation and Description of Security Measures	
Security measures are implemented at this facility to prevent unauthorized access to oil handling, processing, and storage area. The following is a description of how you secure and control access to the oil handling, processing and storage areas; secure master flow and drain valves; prevent unauthorized access to starter controls on oil pumps; secure out-of-service and loading/unloading connections of oil pipelines; address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges:	☐

5. Emergency Procedures and Notifications (§112.7(a)(3)(iv) and 112.7(a)(5)):

Table G-7 Description of Emergency Procedures and Notifications	
The following is a description of the immediate actions to be taken by facility personnel in the event of a discharge to navigable waters or adjoining shorelines *[§112.7(a)(3)(iv) and 112.7(a)(5)]*:	☐

6. Contact List (§112.7(a)(3)(vi)):

Table G-8 Contact List	
Contact Organization / Person	**Telephone Number**
National Response Center (NRC)	1-800-424-8802
Cleanup Contractor(s)	
Key Facility Personnel	
Designated Person Accountable for Discharge Prevention:	Office:
	Emergency:
	Office:
	Emergency:
	Office:
	Emergency:
	Office:
	Emergency:
State Oil Pollution Control Agencies	
Other State, Federal, and Local Agencies	
Local Fire Department	
Local Police Department	
Hospital	
Other Contact References (e.g., downstream water intakes or neighboring facilities)	

7. NRC Notification Procedure (§112.7(a)(4) and (a)(5)):

Table G-9 NRC Notification Procedure	
In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information identified in Attachment 4 will be provided to the National Response Center immediately following identification of a discharge to navigable waters or adjoining shorelines [See Discharge Notification Form in Attachment 4]: *[§112.7(a)(4)]*	☐
• The exact address or location and phone number of the facility; • Date and time of the discharge; • Type of material discharged; • Estimate of the total quantity discharged; • Estimate of the quantity discharged to navigable waters; • Source of the discharge; • Description of all affected media; • Cause of the discharge; • Any damages or injuries caused by the discharge; • Actions being used to stop, remove, and mitigate the effects of the discharge; • Whether an evacuation may be needed; and • Names of individuals and/or organizations who have also been contacted.	

8. SPCC Spill Reporting Requirements (Report within 60 days) (§112.4):

Submit information to the EPA Regional Administrator (RA) and the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located within 60 days from one

of the following discharge events:

- A single discharge of more than 1,000 U.S. gallons of oil to navigable waters or adjoining shorelines or
- Two discharges to navigable waters or adjoining shorelines each more than 42 U.S. gallons of oil occurring within any twelve month period

You must submit the following information to the RA:

(1) Name of the facility;
(2) Your name;
(3) Location of the facility;
(4) Maximum storage or handling capacity of the facility and normal daily throughput;
(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;
(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;
(7) The cause of the reportable discharge, including a failure analysis of the system or subsystem in which the failure occurred; and
(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence

* * * * *

NOTE: Complete one of the following sections (A, B or C)

as appropriate for the facility type.

A. Onshore Facilities (excluding production) (§§112.8(b) and (d), 112.12(b) and (d)):

The owner or operator must meet the general rule requirements as well as requirements under this section. Note that not all provisions may be applicable to all owners/operators. For example, a facility may not maintain completely buried metallic storage tanks installed after January 10, 1974, and thus would not have to abide by requirements in §§112.8(c)(4) and 112.12(c)(4), listed below. In cases where a provision is not applicable, write "N/A".

Table G-10 General Rule Requirements for Onshore Facilities	
Drainage from diked storage areas is restrained by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. *[§§112.8(b)(1) and 112.12(b)(1)]*	☐
Valves of manual, open-and-closed design are used for the drainage of diked areas. *[§§112.8(b)(2) and 112.12(b)(2)]*	☐
The containers at the facility are compatible with materials stored and conditions of storage such as pressure and temperature. *[§§112.8(c)(1) and 112.12(c)(1)]*	☐
Secondary containment for the bulk storage containers (including mobile/portable oil storage containers) holds the capacity of the largest container plus additional capacity to contain precipitation. Mobile or portable oil storage containers are positioned to prevent a discharge as described in §112.1(b). *[§112.6(a)(3)(ii)]*	☐
If uncontaminated rainwater from diked areas drains into a storm drain or open watercourse the following procedures will be implemented at the facility: *[§§112.8(c)(3) and 112.12(c)(3)]* • Bypass valve is normally sealed closed • Retained rainwater is inspected to ensure that its presence will not cause a discharge to navigable waters or adjoining shorelines • Bypass valve is opened and resealed under responsible supervision • Adequate records of drainage are kept [See Dike Drainage Log in Attachment 3.3]	☐ ☐ ☐ ☐
For completely buried metallic tanks installed on or after January 10, 1974 at this facility *[§§112.8(c)(4) and 112.12(c)(4)]*: • Tanks have corrosion protection with coatings or cathodic protection compatible with local soil conditions. • Regular leak testing is conducted.	☐ ☐
For partially buried or bunkered metallic tanks *[§112.8(c)(5) and §112.12(c)(5)]*: • Tanks have corrosion protection with coatings or cathodic protection compatible with local soil conditions.	☐
Each aboveground container is tested or inspected for integrity on a regular schedule and whenever material repairs are made. Scope and frequency of the inspections and inspector qualifications are in accordance with industry standards. Container supports and foundations are regularly inspected. [See Inspection Log and Schedule and Bulk Storage Container Inspection Schedule in Attachments 3.1 and 3.2] *[§112.8(c)(6) and §112.12(c)(6)(i)]*	☐
Outsides of containers are frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas. [See Inspection Log and Schedule in Attachment 3.1] *[§§112.8(c)(6) and 112.12(c)(6)]*	☐
For bulk storage containers that are subject to 21 CFR part 110 which are shop-fabricated, constructed of austenitic stainless steel, with a manhole and have no external insulation, formal visual inspection is conducted on a regular schedule. Appropriate qualifications for personnel performing tests and inspections are documented. [See Inspection Log and Schedule and Bulk Storage Container Inspection Schedule in Attachments 3.1 and 3.2] *[§112.12(c)(6)(ii)]*	☐
Each container is provided with a system or documented procedure to prevent overfills for the container, Describe:	☐

Table G-10 General Rule Requirements for Onshore Facilities	
Liquid level sensing devices are regularly tested to ensure proper operation [See Inspection Log and Schedule in Attachment 3.1]. *[§112.6(a)(3)(iii)]*	☐
Visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed. *[§§112.8(c)(10) and 112.12(c)(10)]*	☐
Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly. [See Inspection Log and Schedule in Attachment 3.1] *[§§112.8(d)(4) and 112.12(d)(4)]*	☐
Integrity and leak testing are conducted on buried piping at the time of installation, modification, construction, relocation, or replacement. [See Inspection Log and Schedule in Attachment 3.1] *[§§112.8(d)(4) and 112.12(d)(4)]*	☐

B. Onshore Oil Production Facilities (excluding drilling and workover facilities) (§112.9(b), (c), and (d)):

The owner or operator must meet the general rule requirements as well as the requirements under this section. Note that not all provisions may be applicable to all owners/operators. In cases where a provision is not applicable, write "N/A".

Table G-11 General Rule Requirements for Onshore Oil Production Facilities	
At tank batteries, separation and treating areas, drainage is closed and sealed except when draining uncontaminated rainwater. Accumulated oil on the rainwater is returned to storage or disposed of in accordance with legally approved methods. *[§112.9(b)(1)]*	☐
Prior to drainage, diked areas are inspected and *[§112.9(b)(1)]*: • Retained rainwater is inspected to ensure that its presence will not cause a discharge to navigable waters • Bypass valve is opened and resealed under responsible supervision • Adequate records of drainage are kept [See Dike Drainage Log in Attachment 3.3]	☐ ☐ ☐
Field drainage systems and oil traps, sumps, or skimmers are inspected at regularly scheduled intervals for oil, and accumulations of oil are promptly removed [See Inspection Log and Schedule in Attachment 3.1] *[§112.9(b)(2)]*	☐
The containers used at this facility are compatible with materials stored and conditions of storage. *[§112.9(c)(1)]*	☐
All tank battery, separation, and treating facility installations (except for flow-through process vessels) are constructed with a capacity to hold the largest single container plus additional capacity to contain rainfall. Drainage from undiked areas is safely confined in a catchment basin or holding pond. *[§112.9(c)(2)]*	☐
Except for flow-through process vessels, containers that are on or above the surface of the ground, including foundations and supports, are visually inspected for deterioration and maintenance needs on a regular schedule. [See Inspection Log and Schedule in Attachment 3.1] *[§112.9(c)(3)]*	☐
New and old tank batteries at this facility are engineered/updated in accordance with good engineering practices to prevent discharges including at least one of the following: (i) adequate container capacity to prevent overfill if regular pumping/gauging is delayed; (ii) overflow equalizing lines between containers so that a full container can overflow to an adjacent container; (iii) vacuum protection to prevent container collapse; or (iv) high level sensors to generate and transmit an alarm to the computer where the facility is subject to a computer	☐

Table G-11 General Rule Requirements for Onshore Oil Production Facilities	
production control system. *[§112.9(c)(4)]*	
Flow-through process vessels and associated components are: • Are constructed with a capacity to hold the largest single container plus additional capacity to contain rainfall. Drainage from undiked areas is safely confined in a catchment basin or holding pond; *[§112.9(c)(2)]* and • That are on or above the surface of the ground, including foundations and supports, are visually inspected for deterioration and maintenance needs on a regular schedule. [See Inspection Log and Schedule in Attachment 3.1] *[§112.9(c)(3)]* *Or* • Visually inspected and/or tested periodically and on a regular schedule for leaks, corrosion, or other conditions that could lead to a discharge to navigable waters; and • Corrective action or repairs are applied to flow-through process vessels and any associated components as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge; and • Any accumulations of oil discharges associated with flow-through process vessels are promptly removed; and • Flow-through process vessels are provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation within six months of a discharge from flow-through process vessels of more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or a discharge more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period. *[§112.9(c)(5)]* *(Leave blank until such time that this provision is applicable.)*	☐ ☐ ☐ ☐ ☐ ☐
All aboveground valves and piping associated with transfer operations are inspected periodically and upon a regular schedule. The general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items are included in the inspection. [See Inspection Log and Schedule in Attachment 3.1] *[§112.9(d)(1)]*	☐
An oil spill contingency plan and written commitment of resources is provided for flowlines and intra-facility gathering lines [See Oil Spill Contingency Plan and Checklist in Attachment 2 and Inspection Log and Schedule in Attachment 3.1] *[§112.9(d)(3)]* or Appropriate secondary containment and/or diversionary structures or equipment is provided for flowlines and intra-facility gathering lines to prevent a discharge to navigable waters or adjoining shorelines. The entire secondary containment system, including walls and floor, is capable of containing oil and is constructed so that any discharge from the pipe, will not escape the containment system before cleanup occurs.	☐ ☐
A flowline/intra-facility gathering line maintenance program to prevent discharges from each flowline has been established at this facility. The maintenance program addresses each of the following: • Flowlines and intra-facility gathering lines and associated valves and equipment are compatible with the type of production fluids, their potential corrosivity, volume, and pressure, and other conditions expected in the operational environment; • Flowlines, intra-facility gathering lines and associated appurtenances are visually inspected and/or tested on a periodic and regular schedule for leaks, oil discharges, corrosion, or other conditions that could lead to a discharge as described in §112.1(b). The frequency and type of testing allows for the implementation of a contingency plan as described under part 109 of this chapter. • Corrective action and repairs to any flowlines and intra-facility gathering lines and associated appurtenances as indicated by regularly scheduled visual inspections, tests, or evidence of a discharge.	☐ ☐ ☐ ☐

Table G-11 General Rule Requirements for Onshore Oil Production Facilities	
• Accumulations of oil discharges associated with flowlines, intra-facility gathering lines, and associated appurtenances are promptly removed. *[§112.9(d)(4)]*	☐
The following is a description of the flowline/intra-facility gathering line maintenance program implemented at this facility:	

C. Onshore Oil Drilling and Workover Facilities (§112.10(b), (c) and (d)):

The owner or operator must meet the general rule requirements as well as the requirements under this section.

Table G-12 General Rule Requirements for Onshore Oil Drilling and Workover Facilities	
Mobile drilling or worker equipment is positioned or located to prevent discharge as described in §112.1(b). *[§112.10(b)]*	☐
Catchment basins or diversion structures are provided to intercept and contain discharges of fuel, crude oil, or oily drilling fluids. *[§112.10(c)]*	☐
A blowout prevention (BOP) assembly and well control system was installed before drilling below any casing string or during workover operations. *[§112.10(d)]*	☐
The BOP assembly and well control system is capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well. *[§112.10(d)]*	☐

ATTACHMENT 1 – Five Year Review and Technical Amendment Logs

ATTACHMENT 1.1 – Five Year Review Log

I have completed a review and evaluation of the SPCC Plan for this facility, and will/will not amend this Plan as a result.

Table G-13 Review and Evaluation of SPCC Plan for Facility			
Review Date	Plan Amendment		Name and signature of person authorized to review this Plan
	Will Amend	Will Not Amend	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	

ATTACHMENT 1.2 – Technical Amendment Log

Any technical amendments to this Plan will be re-certified in accordance with Section I of this Plan template.

Table G-14 Description and Certification of Technical Amendments		
Review Date	Description of Technical Amendment	Name and signature of person certifying this technical amendment

ATTACHMENT 2 – Oil Spill Contingency Plan and Checklist

An oil spill contingency plan and written commitment of resources is required for:

- Flowlines and intra-facility gathering lines at oil production facilities and
- Qualified oil-filled operational equipment which has no secondary containment.

An oil spill contingency plan meeting the provisions of 40 CFR part 109, as described below, and a written commitment of manpower, equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is attached to this Plan.	☐

Complete the checklist below to verify that the necessary operations outlined in 40 CFR part 109 - Criteria for State, Local and Regional Oil Removal Contingency Plans - have been included.

Table G-15 Checklist of Development and Implementation Criteria for State, Local and Regional Oil Removal Contingency Plans (§109.5)[a]	
(a) Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.	☐
(b) Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including:	☐
(1) The identification of critical water use areas to facilitate the reporting of and response to oil discharges.	☐
(2) A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered.	☐
(3) Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., NCP).	☐
(4) An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority.	☐
(c) Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including:	☐
(1) The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.	☐
(2) An estimate of the equipment, materials and supplies which would be required to remove the maximum oil discharge to be anticipated.	☐
(3) Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.	☐
(d) Provisions for well defined and specific actions to be taken after discovery and notification of an oil discharge including:	☐
(1) Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.	☐

Table G-15 Checklist of Development and Implementation Criteria for State, Local and Regional Oil Removal Contingency Plans (§109.5)[a]	
(2) Predesignation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.	☐
(3) A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.	☐
(4) Provisions for varying degrees of response effort depending on the severity of the oil discharge.	☐
(5) Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.	☐
(6) Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.	☐

[a] The contingency plan must be consistent with all applicable state and local plans, Area Contingency Plans, and the National Contingency Plan (NCP).

ATTACHMENT 3 – Inspections, Dike Drainage and Personnel Training Logs

ATTACHMENT 3.1 – Inspection Log and Schedule

Table G-16 Inspection Log and Schedule

This log is intended to document compliance with §§112.6(a)(3)(iii), 112.8(c)(6), 112.8(d)(4), 112.9(b)(2), 112.9(c)(3), 112,9(d)(1), 112.9(d)(4), 112.12.(c)(6), and 112.12(d)(4), as applicable.

Date of Inspection	Container / Piping / Equipment	Describe Scope (or cite Industry Standard)	Observations	Name/ Signature of Inspector	Records maintained separately[a]
					☐
					☐
					☐
					☐
					☐

[a] Indicate in the table above if records of facility inspections are maintained separately at this facility.

ATTACHMENT 3.2 – Bulk Storage Container Inspection Schedule – onshore facilities (excluding production):

To comply with integrity inspection requirement for bulk storage containers, inspect/test each shop-built aboveground bulk storage container on a regular schedule in accordance with a recognized container inspection standard based on the minimum requirements in the following table.

Table G-17 Bulk Storage Container Inspection Schedule

Container Size and Design Specification	Inspection requirement
Portable containers (including drums, totes, and intermodal bulk containers (IBC))	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas
55 to 1,100 gallons with sized secondary containment	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas plus any annual inspection elements per industry inspection standards
1,101 to 5,000 gallons with sized secondary containment and a means of leak detection[a]	
1,101 to 5,000 gallons with sized secondary containment and no method of leak detection[a]	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas, plus any annual inspection elements and other specific integrity tests that may be required per industry inspection standards

[a] Examples of leak detection include, but are not limited to, double-walled tanks and elevated containers where a leak can be visually identified.

ATTACHMENT 3.3 – Dike Drainage Log

Table G-18 Dike Drainage Log						
Date	Bypass valve sealed closed	Rainwater inspected to be sure no oil (or sheen) is visible	Open bypass valve and reseal it following drainage	Drainage activity supervised	Observations	Signature of Inspector
	☐	☐	☐	☐		
	☐	☐	☐	☐		
	☐	☐	☐	☐		
	☐	☐	☐	☐		
	☐	☐	☐	☐		

ATTACHMENT 3.4 – Oil-handling Personnel Training and Briefing Log

Table G-19 Oil-Handling Personnel Training and Briefing Log		
Date	**Description / Scope**	**Attendees**

ATTACHMENT 4 – Discharge Notification Form

In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information will be provided to the National Response Center [also see the notification information provided in Section 7 of the Plan]:

Table G-20 Information provided to the National Response Center in the Event of a Discharge			
Discharge/Discovery Date		Time	
Facility Name			
Facility Location (Address/Lat-Long/Section Township Range)			
Name of reporting individual		Telephone #	
Type of material discharged		Estimated total quantity discharged	Gallons/Barrels
Source of the discharge		Media affected	☐ Soil ☐ Water (specify) _____ ☐ Other (specify) _____
Actions taken			
Damage or injuries	☐ No ☐ Yes (specify)	Evacuation needed?	☐ No ☐ Yes (specify)
Organizations and individuals contacted	☐ National Response Center 800-424-8802 Time _____		
	☐ Cleanup contractor (Specify) Time _____		
	☐ Facility personnel (Specify) Time _____		
	☐ State Agency (Specify) Time _____		
	☐ Other (Specify) Time _____		

[FR Doc. E8–28159 Filed 12–4–08; 8:45 am]
BILLING CODE 6560–50–C

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000) **TCEQ Office Use Only** Permit No.: TXR15
RN: CN: Ref No:

Sign up now for ePermits NOI at www6.tceq.state.tx.us/steers Get Instant Permit Coverage and only pay a $225 application fee. **If filing a paper NOI you can pay the application fee on line? Go to www.tceq.state.tx.us/epay Select Fee Type:** GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION **If submitting a paper NOI**, coverage under the general permit starts seven (7) days after the date postmarked for delivery to TCEQ.

IMPORTANT: •Use the **INSTRUCTIONS** to fill out each question in this form. •Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information. •Incomplete applications **WILL** delay approval or result in **automatic Denial**.

Renewal of General Permit Is this NOI to renew an ACTIVE permit? Yes -What is your permit number? **Permit No. TXR15** No -a permit number will be issued.

Application Fee if mailing a paper NOI: You must pay the **$325** Application Fee to TCEQ for the application to be considered complete. Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses. **Provide your payment information below, for us to verify payment of the application fee:**

Mailed: ☐	Check/Money Order No.:	Company Name on checking account:
EPAY: ☐	Voucher No.:	Is the Payment Voucher copy attached? Yes ☐

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? **CN** **(Search Central Registry)**

2. What is the Legal Name of the entity (applicant) applying for this permit? *(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

3. What is the name and title of the person signing the application? (The person must be an official meeting signatory requirements in TAC 305.43(a).)

Name:	Job Title:

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service**? **(verify at USPS.com)**

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA). Country Code: Postal Code:		

5. Phone No.: ( )	Extension:
6. Fax No.: ( )	E-mail Address:

7. Indicate the type of Customer: Individual Sole Proprietorship-D.B.A. Limited Partnership Corporation Federal Government General Partnership State Government County Government City Government Other Government Other (describe):

Notice of Termination (NOT) for Authorizations under TPDES General Permit TXR150000 **TCEQ Office Use Only** Permit No.: RN: CN:

Sign up now for on line NOT at http://www.tceq.state.tx.us/permitting/steers/steers.html Get your NOT Confirmation letter immediately after submitting the on line NOT form.

What is the permit number to be terminated? Processing will be delayed without the permit number. TXR15

A. OPERATOR (applicant)

1. What is the Customer Number (CN) issued to this entity? **CN**

2. What is the full Legal Name of the current permittee? *This must be the current permittee of the permit to be terminated.*

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA). Country Code: Postal Code:		
4. Phone No.: ( )	Extension:	
5. Fax No.: ( )	E-mail Address:	

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. What is the TCEQ Issued RE Reference Number (RN)? **RN**

2. Name of Project or Site as currently permitted): (example: phase and name of subdivision or name of project that's unique to the site)

3. Physical Address of Project or Site as currently permitted: (enter in spaces below)

Street Number:	Street Name:	
City:	ZIP Code:	County (Counties if >1):

4. If no physical address (Street Number & Street Name), provide the written location access description to the site:

C. REASON FOR TERMINATION

Check the reason for termination: Final stabilization has been achieved on all portions of the site that are the responsibility of the Operator and all silt fences and other temporary erosion controls have either been removed, or scheduled for removal as defined in the SWP3. Another permitted Operator has assumed control over all areas of the site that have not been finally stabilized, and temporary erosion controls that have been defined in the SWP3 have been transferred to the new Operator. The activity is now authorized under an alternate TPDES permit. The activity never began at this site that is regulated under the general permit. ☐☐ ☐☐

D. CERTIFICATION

I, Typed or printed name Title certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized under **30 Texas Administrative Code** '**305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request. Signature: Date: _____ (Use blue ink)

Notification Data Sheet

The Facility will utilize the following form to relate information in the event of a discharge:

Date: _____ ***Time:*** _____

INCIDENT DESCRIPTION

Reporter's Full Name: _____ ***Position:*** _____
Day Phone Number: _____ ***Evening Phone Number:*** _____
Company: _____ ***Organization Type:*** _____
Facility Address: _____ ***Owner's Address:*** _____
_____ _____
_____ _____
_____

Facility Latitude: _____ ***Facility Longitude:*** _____
Spill Location: _____
(if not at Facility) _____
Responsible Party's Name: _____ ***Phone Number:*** _____
Responsible Party's Address: _____
Source and/or cause of discharge: _____
_____
_____
Nearest City: _____
County: _____ ***State:*** _____ ***Zip code:*** _____
Section: _____ ***Township:*** _____ ***Range:*** _____ ***County:*** _____
Distance from City: _____ ***Direction from City:*** _____
Container Type: _____ ***Container Storage Capacity:*** _____
Facility Oil Storage Capacity: _____
Material:

Total Quantity Released	Water Impact (*YES or NO*)	Quantity into Water

RESPONSE ACTION(S)

Action(s) taken to Correct, Control, or Mitigate Incident: _____
_____
_____
Number of Injuries: _____ ***Number of Deaths:*** _____
Evacuation(s): _____ ***Number Evacuated:*** _____
Damage Estimate: _____
More information about impacted medium: _____
_____

CALLER NOTIFICATIONS

National Response Center (NRC): 1-800-424-8802
Additional Notifications (Circle all applicable): ***State*** ***Other***

ADDITIONAL INFORMATION

Any information about the incident not recorded elsewhere in this report: _____
_____
_____

NOTE: DO NOT DELAY NOTIFICATION PENDING COLLECTION OF ALL INFORMATION.

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Examples of Completed Environmental Forms

Environmental Site Evaluation for

Pre-Existing Environmental Conditions

Caution: If this property involves hazardous materials, also comply with the additional procedures found immediately following this form, entitled Hazardous Waste Operations and Emergency Response (HAZWOPER).

Project Name	Palisades West-Austin Texas
Job Number	0709
Date of Site Evaluation	4-3-07
Name of Evaluator	Don Blair, Doug Chastain & Tobe Evans
Title of Evaluator	Environmental Manager

When completed, promptly sign and return this Evaluation form to your Company Safety, Health and Environmental Director for Environmental Clearance.

1. Description of Site/Buildings (Attach a site sketch.) ***attached***

2. What were the past uses of the site?

	Industrial	(Describe)	
x	Commercial	(Describe)	***Highway construction laydown, residential, blasting Co.***
	Residential	☐ Undeveloped	☐ Other

3. What is the most recent use of the site? ***Same as above***

4. What are the proposed plans for the site? ***Commercial Development***

5. Is demolition or renovation anticipated?

Y	**N**
	x

6. Has an Environmental Site Assessment (ESA) of any kind been performed on the site by the owner/customer within six months of the date of this evaluation?

Y	**N**	
	X	***There are several documents available and have been reviewed***

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: ***Palisades West – Austin Texas***

7. Are there any obvious physical signs of contamination on or around the property?

Y	N		Y	N	
x		Excavation/filling/"unnatural" topographic features		X	Stained soil or concrete
	X	Vegetation damage		X	Ammunitions or explosives
	X	Oil sheen or discoloration of surface water		X	Foul or unusual odors MOLD
	X	Batteries	X		Drums)
	X	Medical Waste	X		Other (Describe) ***Tires***

8. Has an asbestos survey been performed for the site?

Y	N	
X		***Asbestos has been abated and structures removed***

9. Are there any signs of possible asbestos-containing materials*?

Y	N		Y	N	
	X	Sprayed-on fireproofing		X	Floor tile or mastic
	X	Pipe		X	Pipe wrap
	X	Friable ceiling titles		X	Acoustical plaster
	X	Roofing materials.	X		**Transite pipe was present but some could remain**

***Consult the Environmental Quality Assurance Manual for other suspect materials (p. 88)

10. Are or were there any chemicals or fuels handled at the site?

Y	N		Y	N	
X		Solvents	X		Fuel and hydrocarbon products
	X	Plating chemicals		X	Janitorial chemicals
X		Coolants and lubricants		X	Paints
?		Lead-based paints		X	Lead-based painted beams
?		PCB-based paints			
X		Other hazardous materials ((Describe) **explosives**			

Project or Property: ***Palisades West – Austin Texas***

11. If the answer to any part of question 10 is "YES," how are/were the chemicals or fuels stored? Secondary containment is generally defined as a means of holding a spill or leak of a material from a tank, drum or other container, other than that tank, drum or other container itself.

Y	N	
X		Underground storage tanks (secondary containment?) If yes, please respond to question 16.
X		Above-ground storage tanks (secondary containment?) If yes, please respond to question 17
X		Portable storage tanks (secondary containment?) (*Describe*)
?		Drums in designated area(s) (secondary containment?) (*Describe*)
X		Drums in non-designated or uncontrolled area(s) ***(see pictures)***
X		Sumps, drains (*Describe*) ***oiling station (see pictures)***
X		Pipelines (*Describe*) ***transite pipe (asbestos)***
		Other (*Describe*)

12. If the answer to question 10 is "YES," have any of these chemicals or fuels been spilled, disposed, or leaked on the property?

Y	N
X	

If yes, please show on site sketch prepared in response to question 1.

13. Has a storm water NOI (permit) or NOT (permit termination) been filed for the site?

Y	N	
X		**If yes, please attach a copy.**
X		**Does the site have a Storm Water Pollution Prevention Plan (SWPPP)? *ACLP only***
X		**If yes, does the Storm Water Pollution Prevention Plan include all site activities planned by Austin**

This site requires a CZP for Edwards Aquifer

14. Are there any discharges to, or potential impacts now or anticipated by the project, to a wet area, sewer, creek, stream, lake, flood plain or wetland?

Y	N	
X		**If yes, please describe.** ***Discharge to Bee and Eanes Creeks***

Project or Property: ***Palisades West – Austin Texas***

15. Are there air emissions on the property (abrasive blasting, spray booths, batch plant operations, etc.)?

Y	N	
	X	**If yes, please show on site sketch prepared in response to question 1**

16. List and show on the site sketch provided in response to question 1 all current and former underground storage tank locations on the property. Provide number of tanks, types, volumes, dates installed/removed, contents, leak detection and tests, registration numbers:

See attached Phase I and II surveys

17. List and show on the site sketch provided in response to question 1 all current and former aboveground storage tanks on the property. Provide number, types, volumes, dates installed/removed, contents, leak detection and tests, registration numbers:

See attached Phase I and II surveys

18. Are there electrical transformers or capacitors on the property which may contain PCBs or fluorescent light tubes?

PCB's		Fluorescent Tubes	
Y	N	Y	N
X			X

19. Are there any indications that the property has or had radioactive or other nuclear materials?

Y	N
	X

20. Is there one or more groundwater well(s) on the property?

Y	N	Don't Know
X		

Environmental Site Evaluation for Pre-Existing Environmental Conditions

Project or Property: ***Palisades West – Austin Texas***

21. Is the property on a federal, state or local list of hazardous waste-contaminated sites?

Y	N	Don't Know
	X	

22. Is the property the subject of environmental litigation, regulatory citations or enforcement action?

Y	N	Don't Know
		X

If yes, please attach relevant documents.

23. Are there any pipeline easements on the property?

Y	N	Don't Know
	X	

If yes, please show on site sketch provided in response to question 1.

24. Is there a total of 1,320 gallons or more of oils of any kind stored at the site?

Y	N	Don't Know
	X	

If no, will Austin's activities increase the total of gallons of oil of any land at the site to 1,320 gallons or more?

25. Are there any potential environmental problems or conditions that have been brought to your attention that are not described above?

Y	N
X	

If yes, describe below:

Buried drums along the south perimeter along Bee Caves Road.
Oiling/fueling station location appears to have underground storage or piping remaining.
Tire mats for explosion protection
Large quantity of soil pushed along south slope appears to contain pails, cans and drums
Transmition tower that has Police repeater

The above responses are true and correct to the best of my knowledge.

Signature of individual completing survey (required) _____

Site Environmental Clearance

I have reviewed the foregoing information and determined that work may proceed:

☐ without limitation

or

☐ with the following limitations

☐ Work may not proceed (see comments below)

Company Safety, Health and Environmental Director Date

Comments:


4/3/07


4/3/07


4/3/07


4/3/07


4/3/07


4/3/07

Table of Contents for SWPPP Manual

Table of Contents for SWPPP Manual

Please Note:

This "Table of Contents" is provided as an example of what *may* be included - it is NOT to reflect the other material in the section. The SWPPP Manuals are generally assembled on a project-by-project basis for Austin Commercial, by Don Blair.

The remaining examples are for the most common items that may need to be created on a jobsite.

- SWPPP Plan Certification Letter
- Delegation of Signatories to Reports
- NOI - Notice of Intent
- TPDES Permit
- NOI - Renewal
- Construction NOI - Notice of Termination
- TDH - Demolition/Renovation Notification Form

Storm Water Pollution Prevention Plan Certification
Contractor/Subcontractor Certification

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

I further certify that I am authorized under 30 Texas Administrative Code 305.44 to sign this document and can provide documentation in proof of such authorization up on request.

Company Name:	Austin Commercial LP
Project or Site :	University of Texas at Dallas, Richardson Texas
	Student Housing and Food Service
Address:	3535 Travis Street, Suite 300 Dallas, Texas 75204
Phone Number:	214-443-5571
Signature:	Jessy G Cole
Printed Name:	Jessy G. Cole
Title:	Safety Director
Date:	4-16-2008

CERTIFICATION

Permit/Registration No._____

Applicant: AUSTIN COMMERCIAL L.P.

I, JESSY G. COLE — *Typed or printed name*

SAFETY DIRECTOR — *Title*

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

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign this document and can provide documentation in proof of such authorization upon request.

Signature: Jessy A Cole Date: 4-16-2008

Executive Director
Texas Commission on Environmental Quality
Storm Water and Pretreatment Team
P.O. Box 13087, MC-148
Austin, TX 78711-3087

Subject: Delegation of Signatories to Reports

Facility/Company/Site Name: UT DALLAS / AUSTIN COMMERCIAL
TPDES Permit Number: Submitted

Dear Executive Director:

This letter serves to designate the following people or positions as authorized personnel for signing reports, storm water pollution prevention plans, certifications or other information requested by the Executive Director or required by the general permit, as set forth by 30 TAC §305.128 (see page 2).

Name or Position	ENVIRONMENTAL MANAGER
Name or Position	SUPERINTENDENT
Name or Position	
Name or Position	

I understand that this authorization does not extend to the signing of a Notice of Intent for obtaining coverage under a storm water general permit.

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in 30 TAC §305.44 (see page 2).

Sincerely,

Jessy D Cole — Name
SAFETY DIRECTOR — Title
4-16-2008 — Date

Austin Commercial
An Austin Industries Company

Construction Manager/General Contractor
3535 Travis Street
Dallas Texas 75221
214.443.5700

AUTHORIZED SIGNATORY

Storm Water Pollution Prevention Plan
For Storm Water Discharges Associated with Construction Activity

PROJECT: University of Texas at Dallas, Richardson Texas

In accordance with 30 TAC § 305.128 for signatories to reports:

(a) All reports requested by permits and other information requested by the executive director shall be signed by a person described in §305.44(a) of this title (relating to Signatories to Applications) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
(1) the authorization is made in writing by a person described in §305.44(a) of this title (relating to Signatories to Applications);
(2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or for environmental matters for the applicant, such as the position of plant manager, operator of a well or well field, environmental manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
(3) the written authorization is submitted to the executive director.
(b) If an authorization under this section is no longer accurate because of a change in individuals or position, a new authorization satisfying the requirements of this section must be submitted to the executive director prior to or together with any reports, information, or applications to be signed by an authorized representative.
(c) Any person signing a report required by a permit shall make the certification set forth in §305.44(b) of this title (relating to Signatories to Applications).

The following authorized representative position responsible for signing all reports related to the Texas Pollutant Discharge Elimination System Permit for the construction activity located at the above-referenced project is:

Title: Superintendent

I further certify that I am authorized by Austin Commercial to sign this document according to 30 TAC 305.44 and can provide documentation of authorization if requested.

Name of Authorized Signatory Name Jessy G. Cole Date 4-16-2008
Jessy G. Cole
Safety Director

Austin Commercial
An Austin Industries Company

Construction Manager/General Contractor
3535 Travis Street
Dallas Texas 75221
214.443.5700

AUTHORIZED SIGNATORY

Storm Water Pollution Prevention Plan
For Storm Water Discharges Associated with Construction Activity

PROJECT: University of Texas at Dallas, Richardson Texas

In accordance with 30 TAC § 305.128 for signatories to reports:

(a) All reports requested by permits and other information requested by the executive director shall be signed by a person described in §305.44(a) of this title (relating to Signatories to Applications) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
(1) the authorization is made in writing by a person described in §305.44(a) of this title (relating to Signatories to Applications);
(2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or for environmental matters for the applicant, such as the position of plant manager, operator of a well or well field, environmental manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
(3) the written authorization is submitted to the executive director.
(b) If an authorization under this section is no longer accurate because of a change in individuals or position, a new authorization satisfying the requirements of this section must be submitted to the executive director prior to or together with any reports, information, or applications to be signed by an authorized representative.
(c) Any person signing a report required by a permit shall make the certification set forth in §305.44(b) of this title (relating to Signatories to Applications).

The following authorized representative position responsible for signing all reports related to the Texas Pollutant Discharge Elimination System Permit for the construction activity located at the above-referenced project is:

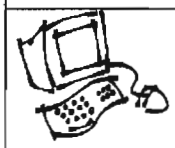
Title: Environmental Manager

I further certify that I am authorized by Austin Commercial to sign this document according to 30 TAC 305.44 and can provide documentation of authorization if requested.

Name of Authorized Signatory Name Jessy G. Cole Date 4-16-2008
Jessy G. Cole
Safety Director

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

TCEQ Office Use Only
Permit No.: TXR15
RN:
CN:
Ref No:



Sign up now for ePermits NOI at https://www6.tceq.state.tx.us/steers/
Get Instant Permit Coverage and only pay a $225 application fee.

If filing a paper NOI you can pay the application fee on line? Go to https://www6.tceq.state.tx.us/epay/

Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION

IMPORTANT:
•Use the **INSTRUCTIONS** to fill out each question in this form.
•Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
•Incomplete applications **WILL** delay approval or result in **automatic Denial.**

Renewal of General Permit
Is this NOI to renew an ACTIVE permit?
☐ Yes - What is your permit number? **Permit No. TXR15**_____
☑ No - a permit number will be issued.

Application Fee if mailing a paper NOI:
You must pay the $325 Application Fee to TCEQ for the application to be considered complete.
Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

Provide your payment information below, for us to verify payment of the application fee:

☑ Mailed:	Check/Money Order No.:	Company Name on checking account: Austin Commercial LP
☐ EPAY:	Voucher No.:	Is the Payment Voucher copy attached? ☐ Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
CN 602412520 (Search Central Registry)

2. What is the Legal Name of the entity (applicant) applying for this permit?
Austin Commercial LP
(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

3. What is the name and title of the person signing the application?
(The person must be an official meeting signatory requirements in TAC 305.43(a).)

Name: Jessy G Cole	Job Title: Safety Director

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service**? (verify at USPS.com)

Address: 3535 Travis Street	Suite No./Bldg. No./Mail Code: Suite 300	
City: Dallas	State: Texas	ZIP Code: 75204
Country Mailing Information (if outside USA).	Country Code:	Postal Code:

5. Phone No.: (214) 443.5700	Extension: 5571
6. Fax No.: (214) 443.5674	E-mail Address: svance@austin-ind.com

7. Indicate the type of Customer:

☐ Individual	☐ Sole Proprietorship-D.B.A.	☑ Limited Partnership
☐ Corporation	☐ Federal Government	☐ General Partnership
☐ State Government	☐ County Government	☐ City Government
☐ Other Government	☐ Other (describe):	

8. Independent Operator: ☑ Yes ☐ No (If governmental entity, subsidiary, or part of a larger corporation, check "No".)

9. Number of Employees: ☐ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☑ 501 or higher

10. Customer Business Tax and Filing Numbers *(This item is not applicable to Individuals, Government, GP or Sole Proprietor.)*
REQUIRED for Corporations and Limited Partnerships (Verify the entity's status and filing no. with TX SOS at 512/463-5555)

State Franchise Tax ID Number: 17528469061	Federal Tax ID: 752846906
TX SOS Charter (filing) Number:	DUNS Number (if known): 101916091

B. APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

1. Name: Donald V Blair Jr	Title: Environmental Manager	Company: Austin Commercial LP
2. Phone No.: (214) 443.5700	Extension: 5571	
3. Fax No.: 214 443.5674	E-mail Address: dblair@austin-ind.com	

C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. TCEQ Issued RE Reference Number (RN): **RN**
(Search Central Registry)

2. Name of Project or Site (the name as known by the community where this facility/project is located):
The University of Texas Student Housing Living/Learning Center, Student Housing and Food Service
(example: phase and name of subdivision or name of project that's unique to the site)

3. Does the site have a physical address?
If Yes, complete Section A for a physical address.
If No, complete Section B for site location information.

Section A: Enter the physical address for the site. (verify it with USPS.com or other delivery source)

Street Number:	Street Name:
City:	ZIP Code:

Section B: Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site:
(Ex.: phase 1 of Woodland subdivision located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)
Housing, SW of intersection of Synergy Park Blvd. &Rutford Ave. Food Service,North side of "B" drive

City where the site is located or nearest city to site: Richardson	ZIP Code where site is located:

4. Identify the county where the site is located: Collin

5. Latitude: 32N 59'25"	Longitude: 96W 45'08"

6. What is the primary business of this entity? In your own words, briefly describe the primary business of the Regulated Entity:
(Do not repeat the SIC and NAICS code) Commercial Construction

7. What is the mailing address for the regulated entity?

Is the RE mailing address the same as the Operator? ☑ Yes, address is the same as Operator ☐ No, provide the address

Street Number:	Street Name:	
City:	State:	ZIP Code:

D. GENERAL CHARACTERISTICS

1. Is the site located on Indian Country Lands? ☑ No ☐ Yes – If Yes, do not submit this NOI. Contact EPA, Region VI
If the site is on Indian country lands, you must obtain authorization through EPA, Region VI.

2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): (Search Osha.gov)
Primary: 1542 Secondary: _____

3(a) What is the total number of acres disturbed? 12.6

3(b) Is the project site part of a larger common plan of development or sale? ☐ Yes ☑ No

If **Yes**, the total number of acres disturbed can be less than 5 acres.

If **No**, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

4. Discharge Information (all information MUST be provided or the permit will be denied)

4(a) What is the name of the water body(s) to receive the storm water runoff or potential runoff from the site?

CottonWood Creek and then the Upper Trinity River

4(b) What is the segment number(s) of the classified water body(s) that the discharge or potential discharge will eventually reach? 0805

4(c) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) list of impaired waters?

☑ Yes ☐ No

If Yes, provide the name of the impaired water body(s). Upper Trinity River

4(d) Is the discharge into an MS4? ☑ Yes ☐ No

If Yes, what is the name of the MS4 Operator? City of Richardson, Texas

Note: The general permit requires you to send a copy of the NOI to the MS4 Operator.

4(e) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?

☐ Yes ☑ No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be included or referenced in the Storm Water Pollution Prevention Plan.

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to certify to all items will result in denial.**

☑ Yes	I certify that I have obtained a copy and understand the terms and conditions of the general permit (TXR150000).
☑ Yes	I certify that the full legal name of the entity (Operator) applying for this permit has been provided and is legally authorized to do business in Texas.
☑ Yes	I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.
☑ Yes	I certify that a storm water pollution prevention plan has been developed and implemented prior to construction, and that is compliant with any applicable local sediment and erosion control plans and prepared and implemented as required in the general permit TXR150000.

Operator Certification:

I, Jessy G. Cole (Typed or printed name *(Required & must be legible)*) Safety Director (Title *(Required & legible)*)

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

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: Jessy G Cole (Use blue ink) Date: 4-16-2008

TCEQ-20022 (03/05/2008) Page 3

Attachment 4

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

"PRIMARY OPERATOR" NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	Applied For
Operator Name:	Austin Commercial LP
Contact Name and Phone Number:	John Eitson 214.794.5187
Project Description: *Physical address or description of the site=s location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	University of Dallas, Richardson Texas SW of intersection of Synergy Park Blvd. & Rutford Ave. Food Service, North side of "B" drive Construction of Student Housing Living/Learning Center and Food Service. Start April 2008 Finish August 2009
Location of Storm Water Pollution Prevention Plan:	Austin Commercial Construction Office on Waterview

Austin Commercial
An Austin Industries Company

Austin Commercial, LP
Construction Manager/General Contractor

P.O. Box 2879
Dallas, Texas 75221-2879

3535 Travis Street
Dallas Texas 75221
214.443.5700
214.443.5674 (Fax)

December 2007

RE: Tyler Hart Credentials for Construction Storm Water Inspections

Mr. Tyler Hart has been in construction for more than 30 years. During that time he has been involved in all phases of installation, inspection and maintenance of storm water control devices as well as management of personnel assigned to installation and maintenance.

Resume of Donald Vernon Blair, Jr. REM, REPA

6015 Farmingdale Drive, Arlington, Texas, 76001 • 817-561-0984 • dblairjr@sbcglobal.net

Objective Ensure Environmental Compliance and Eliminate Environmental Liability

Skills

Certified as a Registered Environmental Manager by the National Registry of Environmental Professionals.

Certified as a Registered Environmental Property Assessor by the National Registry of Environmental Professionals.

- Proficient in applying regulatory requirements in multiple states and industries.
- Coordinate and manage major environmental health and safety projects and programs. This includes environmental response, auditing, hazardous materials management and transportation.
- Skilled in communicating across all company levels.

Experience

Environmental Manager
Austin Commercial, L.P., Dallas, Texas
July 2005 – Present

- Responsible for company wide project environmental compliance through auditing of existing environmental permits and programs in multiple states.
- Pre construction review of environmental documents to include Phase I, II Environmental Site Assessments, Storm Water Pollution Prevent Plans, issues associated with the presence of Asbestos, Lead, PCB's as well as other areas of environmental liability.
- Instructor for Austin's Corporate Environmental Compliance Polices, Storm Water Permitting, Asbestos Awareness, Spill Prevention Control and Counter Measures and Industrial Storm Water Permitting.
- Environmental/Safety liaison between Austin Commercial, L.P. and the Environmental Affairs Department for DFW International Airport.
- Managed the construction of the $1.2 billion International Terminal D while obtaining a recordable injury rate of 3 with 14 million man hours.
- Ensure environmental compliance for air, water and waste issues
- Managed a storm water compliance program with a budget in excess of 1 million dollars.
- Accountable for the accurate reporting of construction equipment air emissions necessary for compliance with the 5 year emissions projection for the airport.
- Instructor for asbestos awareness, storm water compliance and site safety procedures.

Environmental/Chemical Technician
Johnson and Johnson Medical, Inc
May 1989 – September 2000

- Determine proper disposal of company waste while ensuring full regulatory compliance in accordance with OSHA, DOT and other agencies. Documentation of waste sampling, inspection of storage sites, and material usage.

- Received Johnson & Johnson Special Achievement Award for environmental waste budget reduction from $500,000 to $250,000 annually.

- Received Johnson & Johnson Champion Award for obtaining an "A" rating on Johnson & Johnson environmental and Quality audits for ISO 9001.
- Selected to serve as Emergency Management Coordinator and to maintain the Emergency response Plan for the Arlington Texas facility.
- Recycling Coordinator; analyze waste material to determine potential for recycling or disposition as regulated waste.
- Environmental Training Coordinator; maintained training requirements through in house training.

Education Bachelor of Science
Angelo State University, San Angelo, Texas

- Minor in Biology
- Minors in Chemistry.

References References available on request

Texas Commission on Environmental Quality

Construction Notice Of Intent - Renewal

TXR15AD22

Today's date is: 2008-04-21

Customer (Applicant) Identification

What is the applicant's Customer Number (CN)?	CN602412520
Type of Customer	Partnership
Texas SOS Filing Number	012725811
Prefix	
Legal Name	AUSTIN COMMERCIAL LP
Suffix	
Federal Tax ID	752846906
State Franchise Tax ID	17528469063
DUNS Number	101916091
Number of Employees	501+
Independently Owned and Operated?	

Regulated Entity Identification

What is the Regulated Entity's Number (RN)?	RN104650110
What is the name of the Regulated Entity (RE)?	AUSTIN COMMERCIAL HALL OFFICE PARK PHASE D BUILDING 1
Does the RE site have a physical address?	Yes
Number and Street	6801 GAYLORD PKWY
City:	FRISCO
State:	TX
ZIP:	75034
County	COLLIN
Latitude (N) (##.######)	33.10389
Longitude (W) (-###.######)	-96.82833
What is the primary business of this entity?	
Primary SIC Code	6552
Secondary SIC Code	
Primary NAICS Code	
Secondary NAICS Code	

Customer (Applicant) Address & Phone

What is the applicant's role with the RE?	Operator
What date did this applicant begin any regulated activity at this site? If in the future, enter today's date. (mm/dd/yyyy)	10/19/2006
Mailing Address (include Suite or Bldg. here, if applicable)	3636 TRAVIS ST
Routing (such as Mail Code, Dept., or Attn:)	STE 300
City	DALLAS
State	TX
ZIP	75204
If Outside U.S.: Foreign Postal Code and Country	UNITED STATES

Phone (###-###-####)	2144435871
Extension	
Fax (###-###-####)	2144435874
E-mail	
Mailing Address (include Suite or Bldg. here, if applicable):	
Routing (such as Mail Code, Dept., or Attn:):	
City:	
State:	
ZIP:	
If Outside U.S.: Foreign Postal Code:	
and Country:	UNITED STATES
Phone: (###-###-####)	
Extension:	
Fax: (###-###-####)	
E-mail:	

Operator Contact

Organization Name	AUSTIN COMMERCIAL LP
Prefix	
First	Karen
Middle	
Last	Diana
Suffix	
Title	Project Administrator
Mailing Address (include Suite or Bldg. here, if applicable)	3535 TRAVIS ST STE 300
Routing (such as Mail Code, Dept., or Attn:)	
City	DALLAS
State	TX
ZIP	75204
If Outside U.S.: Foreign Postal Code	
and Country:	
Phone (###-###-####)	9722000678
Extension	
Fax (###-###-####)	
E-mail	kdiana@austin-ind.com

Application Contact

Same as another contact?	
Organization Name	
Prefix	
First	Donald
Middle	V
Last	Blair
Suffix	JR
Title	Environmental Manager
Mailing Address (include Suite or Bldg. here, if applicable)	3535 TRAVIS ST STE 300
Routing (such as Mail Code, Dept., or Attn:)	
City	DALLAS

State	TX
ZIP	75204
If Outside U.S.: Foreign Postal Code and Country:	
Phone (###-###-####)	2149057288
Extension	0
Fax (###-###-####)	2144436674
E-mail	dblair@austin-ind.com

CNOI-R General Characteristics

Is the project located on Indian Country Lands?	No
What is the Primary Standard Industrial Classification (SIC) Code?	1542
If applicable, what is the Secondary SIC Code?	
Is the project site part of a larger common plan of development or sale?	No
What is the total number of acres disturbed?	15
What is the name of the water body to receive the storm water runoff or potential runoff from the site?	LAKE LEWISVILLE
What is the segment number of the classified water body receiving the discharges from the construction site?	823
Does the discharge from the construction site reach additional classified water bodies?	No
Is the discharge into an MS4?	Yes
What is the name of the MS4 Operator?	CITY OF FRISCO
Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) list of impaired waters?	No
Is the discharge or potential discharge within the Recharge Zone, Contributing zone, or Contributing zone within the Transition zone of the Edwards Aquifer?	No
I certify that a storm water pollution prevention plan has been developed, will be implemented prior to construction, and is compliant with any applicable local sediment and erosion control plans prepared.	Yes
What is the Latitude of the construction activity to be authorized? (###.######)	33.10389
What is the Longitude of the construction activity to be authorized? (-###.######)	-96.62833
What is the name of the project or site that identifies this construction activity?	AUSTIN COMMERCIAL HALL OFFICE PARK PHASE D BUILDING 1
I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000).	Yes
I understand that a Notice of Termination must be submitted when this authorization is no longer needed.	Yes
I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas.	Yes

Certification

I certify that I am authorized under 30 Texas Administrative Code Subchapter 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

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

1. I am Jessy G Cole OPERATOR
2. I have protected my account/password and am in full complaince with the electronic signature submitted to receive account ER011777.
3. I have the authority to submit this data on behalf of the operator of the storm water discharge site named above.
4. This action constitutes an electronic signature equivalent to my written signature.
5. I am knowingly and intentionally signing Construction Notice Of Intent - Renewal TXR15AD22.
6. My signature indicates that I am in agreement with the information on this form, and authorize its submittal to the TCEQ.

OPERATOR Signature: Jessy G Cole OPERATOR

Account Number:	ER011777
Signature IP Address:	66.60.64.55
Signature Date:	2008-04-21
Form Hash Code at time of Signature:	B32F0D85F7B6937EFBB21B655BEF4201

Fee Payment

Transaction by:	The application fee payment transaction was made by ER011776/Sandra Vance
Paid by:	The application fee was paid by JESSY COLE
Fee Amount:	225
Paid Date:	The application fee was paid on 2008-04-22
Transaction/Voucher number:	The transaction number is 582EA000035308 and the voucher number is 46763

Submission

Reference Number:	The application reference number is 1881
Submitted by:	The application was submitted by ER011759/Donald V Blair Jr
Submitted Timestamp:	The application was submitted on 2008-04-23 at 14:32:32 CDT
Submitted From:	The application was submitted from IP address 66.60.64.55
Confirmation Number:	The confirmation number is 21865
Steers Version:	The STEERS version is 5.37
Permit Number:	The permit number is TXR15AD22

Additional Information

Application Creator: This account was created by Donald V Blair Jr

Texas Commission on Environmental Quality

Construction NOI Notice of Termination

TXR15KX23

Today's date is: 2008-10-22

Customer (Applicant) Identification

What is the applicant's Customer Number (CN)?	CN601419641
Type of Customer	Corporation
Texas SOS Filing Number	008985306
Prefix	
Legal Name	AUSTIN COMMERCIAL INC
Suffix	
Federal Tax ID	
State Franchise Tax ID	17525015313
DUNS Number	
Number of Employees	501+
Independently Owned and Operated?	

Regulated Entity Identification

What is the Regulated Entity's Number (RN)?	RN105533574
What is the name of the Regulated Entity (RE)?	CHILDRENS MEDICAL CENTER
Does the RE site have a physical address?	No
Because there is no physical address, describe how to locate this site:	
City	
State	TX
ZIP	
County	COLLIN
Latitude (N) (##.######)	33.08082
Longitude (W) (-###.######)	-96.79839
What is the primary business of this entity?	MEDICAL HOSPITAL
Primary SIC Code	1542
Secondary SIC Code	
Primary NAICS Code	
Secondary NAICS Code	

Customer (Applicant) Address & Phone

What is the applicant's role with the RE?	Operator
What date did this applicant begin any regulated activity at this site? If in the future, enter today's date. (mm/dd/yyyy)	09/14/2005
Mailing Address (include Suite or Bldg. here, if applicable)	3535 TRAVIS ST STE 300
Routing (such as Mail Code, Dept., or Attn:)	
City	DALLAS
State	
ZIP	
If Outside U.S.: Foreign Postal Code and Country	UNITED STATES MNR OUTLYING ISLANDS

Phone (###-###-####)	2144435700
Extension	5571
Fax (###-###-####)	2144435674
E-mail	DBLAIR@AUSTIN-IND.COM
Mailing Address (include Suite or Bldg. here, if applicable):	
Routing (such as Mail Code, Dept., or Attn:):	
City:	
State:	
ZIP:	
If Outside U.S.: Foreign Postal Code:	
and Country:	
Phone: (###-###-####)	
Extension:	
Fax: (###-###-####)	
E-mail:	

Construction Notice of Intent - Termination Reason

What is the reason for terminating? (See instructions for descriptions of reasons.)	Final stabilization has been achieved.

Certification

I certify that I am authorized under 30 Texas Administrative Code '305.44 to sign this document and can provide documentation in proof of such authorization upon request.

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

1. I am Jessy G Cole OPERATOR
2. I have protected my account/password and am in full complaince with the electronic signature submitted to receive account ER011777.
3. I have the authority to submit this data on behalf of the operator of the storm water discharge site named above.
4. This action constitutes an electronic signature equivalent to my written signature.
5. I am knowingly and intentionally signing Construction NOI Notice of Termination TXR15KX23.
6. My signature indicates that I am in agreement with the information on this form, and authorize its submittal to the TCEQ.

OPERATOR Signature: Jessy G Cole OPERATOR

Account Number:	ER011777
Signature IP Address:	66.60.64.55
Signature Date:	2008-10-22
Form Hash Code at time of Signature:	41CCC22F02F08747AD7A28D884F75D1F

Submission

Reference Number:	The application reference number is 10993
Submitted by:	The application was submitted by ER011759/Donald V Blair Jr
Submitted Timestamp:	The application was submitted on 2008-10-22 at 14:44:46 CDT
Submitted From:	The application was submitted from IP address 66.60.64.55
Confirmation Number:	The confirmation number is 28400
Steers Version:	The STEERS version is 5.41
Permit Number:	The permit number is TXR15KX23

Additional Information

Application Creator: This account was created by Donald V Blair Jr

TEXAS DEPARTMENT OF HEALTH **DEMOLITION / RENOVATION NOTIFICATION FORM**

NOTE: CIRCLE ITEMS THAT ARE AMENDED **NOTIFICATION#** _____

1) Abatement Contractor: *N/A* TDH License No.: N/A
Address: _____ City: _____ State: ____ Zip: N/A
Office Phone Number: N/A Job Site Phone Number: NA
Site Supervisor: N/A TDH License Number: N/A
Site Supervisor: N/A TDH License Number: N/A
Trained On-Site NESHAP Individual: _____ Certification Date:: _____

Demolition Contractor: _____ Office Phone Number: 972-225-1200
Address: _____ City: _____ State: ____ Zip: _____

2) Project Consultant or Operator: N/A TDH License No.: N/A
Mailing address: N/A
City: N/A State: ____ Zip: N/A Office Phone Number: N/A

3) Facility Owner: Charlton Methodist Hospital
Attention: Doug Loberg
Mailing address: P.O. Box 655999
City: Dallas State: ____ Zip: 75265 Owner Phone Number: 214-558-1605

4) Description or Facility Name: Former ICU & Medical Records Building / Medical Office Building 1
Physical Address: 3500 W. Wheatland Road County: _____
City: Dallas Zip: 75237 Facility Phone Number: 214-558-1605
Facility Contact Person: Doug Loberg
Description of Area/Room Number: _____
Prior Use: Hospital/Healthcare Future Use: Hospital/Healthcare
Age of Building/Facility: 10 Yrs / 22 Yrs Size: 22,000SF+/- / 48,000SF+/- Number of Floors: 2 / 3
School (K-12) ☐ YES [x] NO

5) Type of Work: [x] Demolition Renovation (Abatement) ☐ Annual Consolidated
Work will be during: x Day ☐ Evening ☐ Night ☐ Phased Project
Description of work schedule: Monday thru Saturday 7:00am to 6:00pm

6) Is this a Public Building? [x] YES ☐ NO Federal Facility? ☐ YES [x] NO Industrial Site? ☐ YES [x] NO
NESHAP-Only Facility? ☐ YES [x] NO Is Building/Facility Occupied? YES x NO

7) Notification Type: CHECK ONLY ONE
Original (10 Working Days) ☐ Cancellation X Amendment ☐ Emergency/Ordered

If this is an amendment, which amendment number is this? _____ (Enclose copy of original)
If an emergency, who did you talk with at TDH? _____ Emergency# _____
Date and Hour of Emergency (HH/MM/DD/YY): N/A
Description of the sudden, unexpected event and explanation of how the event caused unsafe conditions or would cause equipment damage (computers, machinery, etc.): N/S

8) Description of procedures to be followed in the event that unexpected asbestos is found or previously non-friable asbestos material becomes crumbled, pulverized, or reduced to powder: Stop work, isolate and wet area down notify regional TDH representative and owner immediately.

9) Was an Asbestos survey performed? [X] YES ☐ NO Date: 9/26/07 / 3/9/07 TDH Inspector License No: 10-5666
Analytical Method: [X] PLM ☐ TEM ☐ Assumed TDH Laboratory License No: _____
(For TAHPA (public building) projects: an assumption must be made by a TDH Licensed Inspector)

10) Description of planned demolition or renovation work, type of material, and method(s) to be used: Building will be demolished utilizing wet demolition methods using excavators with grapples and track loaders

11) Description of work practices and engineering controls to be used to prevent emissions of asbestos at the

demolition/renovation site: Wet demolition methods will be used.

12) ALL applicable items in the following table must be completed: **IF NO ASBESTOS PRESENT CHECK HERE** X

Asbestos-Containing Building Material Type	Approximate amount of Asbestos		Check unit of measurement					
	Pipes	Surface Area	Ln Ft	Ln M	SQ Ft	SQ M	Cu Ft	Cu M
RACM to be removed								
RACM NOT removed								
Interior Category I non-friable removed								
Exterior Category I non-friable removed								
Category I non-friable NOT removed								
Interior Category II non-friable removed								
Exterior Category II non-friable removed								
Category II non-friable NOT removed								
RACM Off-Facility Component								

13) Waste Transporter Name: Lloyd D. Nabors Demolition, LLC TDH License No.: N/A
Address: 1330 Dowdy Ferry Road City: Hutchins State: TX Zip: 75141
Contact Person: John Satterwhite Phone Number: 972-225-1200

14) Waste Disposal Site Name: Skyline Landfill – Waste Management
Address: 1201 N. Central City: Ferris State: TX Zip: 75125
Telephone: 972-842-5710 TNRCC Permit Number: MSW42C

15) For structurally unsound facilities, attach a copy of demolition order and identify Governmental Official below:
Name: N/A Registration No: N/A
Title: N/A

Date of order (MM/DD/YY) _____ Date order to begin (MM/DD/YY) _____

16) Scheduled Dates of Asbestos Abatement (MM/DD/YY) Start: N/A Complete: N/A

17) Scheduled Dates Demolition/Renovation (MM/DD/YY) Start: 11/8/07 Complete: 2/29/08

** Note: If the start date on this notification cannot be met, the TDH Regional or Local Program office *Must* be contacted by phone prior to the start date. Failure to do so is a violation in accordance to TAHPA, Section 295.61.**

I hereby certify that all information I have provided is correct, complete, and true to the best of my knowledge. I acknowledge that I am responsible for all aspects of the notification form, including, but not limiting, content and submission dates. The maximum penalty is $10,000 per day per violation.

(Signature of Building Owner/Operator) or Delegated Consultant/Contractor)	Horace F. Weaver (Printed Name)	1/31/08 (Date)	972-225-1200 (Telephone)
			972-225-1256 (Fax Number)

MAIL TO:

ASBESTOS NOTIFICATION SECTION
TOXIC SUBSTANCES CONTROL DIVISION
TEXAS DEPARTMENT OF HEALTH
PO BOX 143538
AUSTIN, TX 78714-3538
PH: 512-834-6600, 1-800-572-5548

Faxes are not accepted

Faxes are not accepted

Form APB#5, dated 07/13/01 Replaces TDH form dated 09/15/97. For assistance in completing form, call 1-800-572-5548.

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Glossary of Environmental Terms

A-D		
ACM	Asbestos Containing Material	
acfm	actual cubic feet per minute	This is a measurement of airflow, typically through process equipment or an air pollution control device.
Asbestos		A naturally occurring fibrous mineral commonly used for its excellent flame retardant properties as a component of building materials manufactured prior to 1977.
Asbestos Survey		A visual survey of a property coupled with the gathering of a representative number of physical samples from materials that may contain asbestos and analysis of those samples for asbestos.
BMP	Best Management Practice	
BOD	Biochemical Oxygen Demand	The amount of oxygen needed by life forms in a water body. Chemicals in the water body leaving too little oxygen for those life forms can consume BOD.
Battery		An enclosed container of any size that generates or regenerates electrical power. We are most concerned with batteries that contain lead and sulfuric acid, or mercury.
CAAA	Clean Air Act Amendments of 1990	The law regulating the emission of various constituents to the air.
CERCLA	Comprehensive Environmental Resource Conservation and Liability Act	Known commonly as Superfund: the law regulating cleanup of hazardous wastes.
COD	Chemical Oxygen Demand	A direct measure of the amount of oxygen used by organic matter in a water body. Too little oxygen in a water body may adversely impact life forms resident.

Class 2 waste		A State of Texas non-hazardous waste classification that applies to wastes that are not hazardous and are not Class 1 or Class 3 non-hazardous waste. Also see the definitions of hazardous waste, non-hazardous waste and Class 3 waste in this Glossary for more clarification.
Class 3 waste		A State of Texas non-hazardous waste classification that applies to wastes that are inert, and which are not hazardous and are not Class 1 or Class 2 non-hazardous waste. Also see the definitions of hazardous waste, non-hazardous waste and Class 2 waste in this Glossary for more clarification.
DSHS	Department of State Health Services	
Demolition		As used in TDH and EPA regulations, the act of wrecking or removing a load bearing structural member from a building or facility to which the public has access.
E-H		
EPA	Environmental Protection Agency	The agency of the federal government that regulates the environment.
Environment		All places outside of man-made buildings, most commonly air, water, and land.
Environmental Site Assessment		A specific form of environmental review of a property whose scope is prescribed by the American Society for Testing and Materials.
Environmental Site Evaluation		Austin Industries' process and form for gathering environmental information about a property we plan to work at, or in which it proposed to acquire a legal interest. The form for recording the evaluation information is found in Exhibits of this manual.

FWPCA	Federal Water Pollution Control Act	The law regulating the discharge of constituents to the waters of the United States.
Final stabilization		As used in the context of storm water permitting, all soil disturbing activities are complete and 70 percent of native vegetative density is established across all non-paved areas at the project site.
Friable asbestos		Asbestos in a form that is capable of being crumbled with hand pressure. Friable asbestos is subject to significant regulation.
Fugitive emissions		Emissions to the air from a location other than the stack of a stationary piece of equipment. Road dust, abrasive blasting and stockpile dust are all sources of fugitive emissions.
GA	Geologic Assessment	An assessment performed by a qualified Geologist for ATPDFS Multi-Sector Permit.
GAC Unit	Granular Activated Charcoal	Carbonair Systems
Groundwater		Water that is below the ground, typically accessed only by drilling or blasting the surface. Groundwater is of various qualities. In Texas, the Austin-San Antonio area uses groundwater found in the Edwards Aquifer for drinking purposes.
HAZWOPER		A Hazardous Waste Operations Plan for preparing to work, and working at a property that presents certain types of hazards.

Hazardous waste		A waste is considered a "hazardous" waste either if it is on EPA's and Texas' list of hazardous wastes or, if it is not on that list, it fails EPA's and Texas' regulatory test for corrosivity (pH less than 2 or more than 12.5), ignitability (flash point of less than 140 degrees Fahrenheit), toxicity or reactivity (generally, incompatible with water).
Hazardous waste label		The label required by RCRA that must be completed by the hazardous waste generator and attached to the waste container. The label requires the name of the waste generator; the date waste was first placed in the container being labeled, the waste chemicals in the container and other information.
I-O		
Industrial property		For purposes of waste management, any property that is not residential or municipal property. Construction sites are industrial property.
Incompatible waste		Waste, which because of its nature is unsuitable, unsafe, or unlawful to place in a specific type of container. For example, waste acid is incompatible with a steel drum that is not stainless steel. It is compatible with certain types of plastic containers.
LEED	Leadership in Energy and Environmental Design	A non-profit Consensus Coalition promoting the understanding, development and accelerated implementation of green building. http://www.usgbc.org
Lead-Based Paint		A paint that contains lead in any form. If found in a residential setting or in a setting to be used for residential purposes, specific legal requirements apply.

Manifest		A specific form of transportation document that must accompany the transportation and disposal of hazardous waste and which may accompany the transportation and disposal of non-hazardous solid waste.
Medical/Biohazard Waste		A waste produced from the medical treatment of humans, such as used bandages and sharps, including needles and syringes.
Milligram per liter		A metric measurement for a liquid equal to one part per million.
NOI	Notice of Intent	The functional equivalent of a storm water permit.
NOR	Notice of Registration	A form filed with the TCEQ by a site identifying each waste generated at that site and where and how it is stored, recycled or disposed.
NOT	Notice of Termination	The notice filed with the EPA to advise that site activities requiring a storm water permit have ceased.
NOV	Notice of Violation	A notice issued by an agency informing the company that they are not in compliance with one or more environmental regulations.
Nonhazardous waste		A waste that is not on EPA's or TCEQ's list of hazardous wastes and does not fail one of four of EPA's hazardousness tests. In Texas, nonhazardous wastes are either Class 1 or Class 2 or Class 3 wastes. Class 3 wastes are inert.
OSHA	Occupational Safety and Health Administration	
Outdoor burning		Burning anything outdoors, regardless of its hazardousness or quantity.
P-S		
PCB	Polychlorinated Biphenyl	A heavily regulated chemical used most commonly in electric equipment.

pH		The measurement of the relative corrosivity (acidity or alkalinity) of a liquid. Acidic materials have a pH of less than 7; alkaline materials have a pH greater than 7. The pH of a material is said to be neutral if its pH equals 7. The pH is logarithmic.
ppm		Parts per million.
RCRA	Resource Conservation and Recovery Act	The law regulating the generation, transportation and disposal of hazardous wastes.
RQ	Reportable Quantity	
Renovation		As used in TDH and EPA asbestos regulations, renovation is the act of adding or altering the interior surface of a building or facility to which the public has access.
Risk Reduction Standards or Rules		A TCEQ program that establishes numerical standards for how clean a property, including its groundwater, should be cleaned up to protect human health and the environment.
Roof structure		As pertaining to storm water Best Management Practices, a roof structure is a device or other means of keeping storm water from coming into contact with containerized materials that could adversely affect the storm water.
SARA Title III		A federal law that requires facilities that annually inventory a specified quantity or more of certain listed chemicals, or that annually release a specified quantity or more of certain chemicals to the environment, to file reports with local, state and/or federal government agencies.
SDWA	Safe Drinking Water Act	The law regulating drinking water.
SHE Director		Company Safety, Health and Environmental director.

SPCC		Spill Prevention Control and Countermeasure Plan. An SPCC Plan is required at every property at which there is 1320 gallons of capacity for storage of petroleum products or petroleum wastes, or at which there is a tank of at least 660 gallons to be used for this purpose. The goal of an SPCC Plan is to prevent spills and to be prepared to efficiently and correctly respond to spills of petroleum products or wastes.
SWPPP	Storm Water Pollution Prevention Plan	A plan required to be prepared to minimize the impact of all construction and stationary site storm water whose discharge is required to be permitted.
Secondary containment		A structure built around a storage area to hold 110 percent of the maximum capacity of the containers within it, and that does not allow any materials in, or allow any materials out, of the storage area. A diagram of one type of acceptable secondary containment is found in this manual.
Solid waste		A waste that is regulated by the TCEQ or EPA, including wastes that are liquid, semi-solid, sludge, or solid, but into gaseous. Gaseous waste is known as an air emission. Solid wastes include hazardous and non-hazardous waste, such as construction site waste.
T-Z		
TCEQ:	Texas Commission on Environmental Quality	The State of Texas Agency responsible for protection of the environment (formerly TNRCC).
TDA	Texas Department of Agriculture	

TDH	Texas Department of Health	The State of Texas agency responsible for asbestos and demolition of public buildings, among other responsibilities.
TDS	Total Dissolved Solids	A measurement of wastewater or storm water that indicates the concentration of particles physically dissolved in the liquid.
TRC	Texas Railroad Commission	Texas regulatory agency overseeing pit and quarry operations.
TSCA	Toxic Substances Control Act	The law known for regulating PCB storage and disposal.
TSPCB	Texas Structural Pest Control Board	Certifying and testing organization overseeing the use of herbicides and pesticides.
TSS	Total Suspended Solids	A measurement of waste water or storm water that indicates the concentration of particles suspended in a liquid.
Temporary concrete batch plant		A concrete batch plant that occupies a specific property, whether operating or not, for less than 180 consecutive days.
Tire waste		A tire or piece of a tire, of any size that can no longer be used on a moving vehicle.
USACE	United States Army Corps of Engineers	Federal government organization responsible for the oversight and control of numerous activities involving navigable waterways.
Underground tank		A container, including its associated piping, which has at least 10 percent of its capacity below ground surface.
(VCP)	Voluntary Cleanup Program	A TCEQ program by which a land owner, tenant or other entity in Texas addresses an environmental problem, including adversely affected groundwater, on a property and off-site pollution, typically by cleaning up the problem to pre-set standards. A Certificate of Completion is issued by the TRNCC once the problem is addressed.

WPAP	Water Pollution Abatement Plan	A plan prepared by a consultant to comply with ATPDES multi-sector permit to discharge certain non-storm water discharges.
Waste		See solid waste, above.
Waste exemption		In Texas, solid and other inert material that has no contamination which is used to fill land, if the object of the fill is to make the land suitable for the construction of imminent surface improvements is exempt from regulation.
Wetland		An area of ground that is saturated or nearly saturated and is capable of regularly supporting aquatic-type life or plant forms.
Working day		As used in TDH and EPA asbestos and demolition regulations, Monday through Friday constitute working days.

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Environmental Quality Assurance Revision Log

Date	Section	Revision