



RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

PERMIT TO RECEIVE, STORE, HANDLE, TREAT AND DISPOSE OF
CERTAIN NONHAZARDOUS OIL AND GAS WASTES



Permit No. LT-0168
RENEWED and AMENDED
Associated with Pit Permit Nos. P010932 and P012318
Supersedes Permit Issued July 27, 2001

J. MOSS INVESTMENTS, INC.
PO BOX 337
KENEDY TX 78119-0337

Based on information contained in your application dated May 18, 1994, your amendment request received November 15, 1995, your amendment request dated May 6, 1996, your renewal request dated June 24, 1996, amendment requests dated July 12, 1996, and October 1, 1996, application submitted January 19, 1998 (Pit No. P012318), renewal request submitted March 7, 2005 (P010932), renewal request dated June 27, 2011, and subsequent information submitted to date, you are hereby authorized to receive, store, handle, treat, and dispose of certain non-hazardous oil and gas wastes as specified below at the following facility:

J. Moss Landtreatment and Disposal Facility
Landtreatment Cells 1, 2, 3, 4, and 5
Share 11, Bernardo Bustamante Petition of Las Comitas Grant
Latitude, Longitude: 27.020482°, -99.082479°
Zapata County, Texas
RRC District 04. Corpus Christi

NARRATIVE PROCESS

Incoming oil and gas waste received at the facility will initially be accepted based on oil and water content. Water-based drilling muds and associated cuttings will be unloaded into the drilling fluid disposal pit for final disposal. Oil-based liquids and solids will be treated based on water content. Semi-solid loads will be tested and placed in the centrifuge to determine the quantity of liquids present in the waste. Any load of waste containing less than 90% solids must be dewatered until further liquid waste is removed to meet waste standards (i.e., separation of liquids and injection at an authorized disposal well). Oil-based waste that meets criteria shall be placed in an appropriate landtreatment cell for treatment.

Attachment I
Oil & Gas Docket No. 04-0290190
Application of J. Moss Investments

This authority is granted in accordance with Texas Administrative Code (TAC) Title 16, Part II, Chapter 3, Section §3.8 (Statewide Rule 8) and subject to the following minimum conditions:

I. GENERAL PERMIT CONDITIONS

- A. The effective date of this permit is _____, and the authority granted by this permit expires on _____ or when the volume of oil and gas waste accepted at the facility totals 947,180 cubic yards whichever occurs first.
- B. The permittee shall maintain financial security in the amount of \$357,840.00 until this facility has been closed in accordance with this permit. Technical Permitting reserves the right to revise this amount, as necessary. Prior to any modification of this facility that would require increased financial security, an updated closure cost estimate must be submitted to Technical Permitting in Austin, and any additional financial security must be filed with and approved by the Railroad Commission of Texas (RRC) prior to making that modification.
- C. The permittee may not receive, store, handle, or treat oil and gas waste at the facility until all necessary air permits are obtained from the Texas Commission on Environmental Quality (TCEQ).
- D. This permit may be considered for administrative renewal upon review by the RRC. Any request for renewal should be received at least 60 days prior to the permit expiration date.
- E. This permit is not transferable without the consent of the RRC. Any request for transfer of this permit must be filed with Technical Permitting in Austin at least 60 days before the permittee wishes the transfer to take place.
- F. Any deviation from this permit must be approved by amendment from Technical Permitting in Austin before implementation.
- G. Unless otherwise required by conditions of this permit, construction, use, and maintenance of the facility must be in accordance with the information represented in the permit application and attachments thereto.
- H. This permit does not authorize the discharge of any oil and gas waste, including contaminated rainwater, from the landtreatment area.
- I. The permittee must post a sign at the facility entrance, which must show the permit number in numerals at least three inches in height.
- J. Any soil, media, or other debris contaminated by a spill of waste or any other materials at the facility must be cleaned up immediately and processed through the facility or disposed of in an authorized manner.
- K. Any soil additives or treatment chemicals must be approved by Technical Permitting prior to use in the treatment area.

- L. Material Safety Data Sheets (MSDS) must be submitted to Technical Permitting in Austin for any chemical or bio-accelerator proposed to be used in the treatment of waste at the facility. Use of the chemical is contingent upon RRC approval. Storage of the chemicals must be in accordance with the manufacturers' specifications.
- M. An independent National Environmental Laboratory Accreditation Program (NELAP) certified laboratory neither owned nor operated by the permittee shall perform all laboratory analyses required by this permit using Environmental Protection Agency (EPA) methods or Standard Methods.
- N. An On-Site Sewage Facility (OSSF) may be constructed, operated, and maintained within the boundaries of the subject facility without an additional permit from the RRC if:
 - 1. The OSSF waste is not commingled with any other oil and gas waste; and
 - 2. The system is designed by a Professional Engineer currently registered in the state of Texas; and
 - 3. A sewage system installer is licensed in the state of Texas; and
 - 4. The construction, operation, and maintenance of the OSSF complies with all applicable local, county, and state requirements.
- O. The permittee shall make all records available for review and/or copying upon request of RRC personnel.
- P. The permittee must submit a Quarterly Report containing the applicable information required in Conditions III.K., VII.B.11, and VII.C.8. and of this permit and a Report Summary.

The reporting periods must be January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31 of each year.

The Quarterly Reports must be submitted to Technical Permitting in Austin and the appropriate District Office no later than the 31st day of the month following each reporting period, or each May 1, July 31, October 31, and January 31, respectively.
- Q. Failure to comply with any provision of this permit will be cause for modification, suspension, or termination of this permit.

II. AUTHORIZED WASTES

- A. Only oil and gas wastes subject to the jurisdiction of the RRC that are non-hazardous or exempt from Resource Conservation and Recovery Act (RCRA), Subtitle C may be received. You may receive, store, handle, treat and process only the following non-hazardous, non-injectable, non-reclaimable oil and gas wastes:
 - 1. Oil based drilling fluids and associated cuttings including those generated in Mexico by Petróleos Mexicanos (PEMEX);

2. Tank bottoms from crude oil reclamation plants, crude oil production, and crude oil separation facilities;
 3. Soil contaminated with produced water, crude oil, or condensate; and
 4. Waste material from produced water collecting pits.
- B. No Naturally Occurring Radioactive Material (NORM) waste as defined in 16 TAC §4.603 (Oil and Gas NORM) or waste from a facility that is licensed by the Texas Department of State Health Services to process or treat oil and gas NORM waste may be received at this facility.
- C. No asbestos-containing material regulated under the Clean Air Act or polychlorinated biphenyl-containing material regulated under the Toxic Substances Control Act may be accepted for processing at the facility.
- D. No other waste may be disposed of at this facility.
- E. This permit does not authorize the reclamation of crude oil from oil and gas waste. A request for authorization under 16 TAC §3.57 (Statewide Rule 57) must be submitted to and approved by Technical Permitting in Austin prior to any reclamation activities at the referenced facility.
- F. No reclaimable oil or free water may be disposed of at this facility.
- G. The permittee shall not accept waste from a waste hauler unless the waste hauler has an RRC issued waste hauler permit and is authorized to deposit waste at this facility.

III. WASTE TESTING AND RECORDKEEPING REQUIREMENTS

- A. For the purposes of this permit, other than Total Organic Halides (TOX) or Extractable Organic Halides (EOX) analyses, a representative sample of incoming waste is defined as a four-part composite sample taken from a 200 cubic yard lot with each grab sample taken at 50 cubic yard intervals.
- B. For TOX or EOX analyses, a representative sample of incoming waste is defined as one grab sample from each 50 cubic yards of waste material from each job. Prior to receipt at the site, representative samples of incoming waste from commercial oil and gas facilities must be analyzed for either of the parameters listed below and may not exceed the limit for the respective parameters:

<u>PARAMETER</u>	<u>LIMITATION</u>
TOX (EPA 9020B)	100 mg/kg
EOX (EPA 9023)	100 mg/kg

Special authorization for disposal of waste with a TOX greater than 100 mg/kg may be considered. Authority must be obtained from Technical Permitting in Austin prior to receipt of waste.

- C. Prior to receipt at the site, representative samples of all incoming RCRA non-exempt waste from commercial oil and gas facilities, including contaminated soil from crude oil transportation, must be analyzed for the following parameters and may not exceed the following limitations:

<u>PARAMETER</u>	<u>LIMITATION</u>
Corrosivity	pH 2.0 -12.5 standard units (s.u.) <i>EPA Method 1110A</i>
Ignitability	Flash Point < 60° C <i>EPA Method 1010A, 1020B, or 1030A</i>
Reactivity	No materials exhibiting the characteristic of reactivity as defined by RCRA
Toxicity	No materials exhibiting the characteristic of toxicity as defined by RCRA <i>EPA Method 1311</i>

Metals: Toxic Characteristic Leaching Procedure (TCLP)
EPA Method 6010/6020/7147A

Arsenic (As)	< 5.0 mg/L
Barium (Ba)	< 100.0 mg/L
Cadmium (Cd)	< 1.0 mg/L
Chromium (Cr)	< 5.0 mg/L
Lead (Pb)	< 5.0 mg/L
Mercury (Hg)	< 0.2 mg/L
Selenium (Se)	< 1.0 mg/L
Silver (Ag)	< 5.0 mg/L
Benzene	< 0.5 mg/L

EPA Method 8260/8021B

- D. Prior to receipt at the site, a representative sample of waste generated in Mexico by PEMEX must be analyzed and may not exceed the limit for the following parameters:

1. Beginning with the first load and every six months thereafter:

<u>PARAMETER</u>	<u>LIMITATION</u>
Corrosivity	pH 2.0 -12.5 s.u. <i>EPA Method 1110A</i>
Ignitability	Flash Point < 60° C <i>EPA Method 1010A, 1020B, or 1030A</i>
Reactivity	No materials exhibiting the characteristic of reactivity as defined by RCRA
Toxicity	No materials exhibiting the characteristic of toxicity as defined by RCRA <i>EPA Method 1311</i>

2. Beginning with the first load and quarterly thereafter:

<u>PARAMETER</u>	<u>LIMITATION</u>
Metals (TCLP)	
<i>EPA Method 6010/6020/7147A</i>	
Arsenic (As)	< 5.0 mg/L
Barium (Ba)	< 100.0 mg/L
Cadmium (Cd)	< 1.0 mg/L
Chromium (Cr)	< 5.0 mg/L
Lead (Pb)	< 5.0 mg/L
Mercury (Hg)	< 0.2 mg/L
Selenium (Se)	< 1.0 mg/L
Silver (Ag)	< 5.0 mg/L
Benzene	
<i>EPA Method 8260/8021B</i>	< 0.5 mg/L

- E. Each truck load of incoming waste, other than water-based drilling fluids and associated cuttings, or oil-based drilling fluid and associated cuttings, must be scanned for the presence of Naturally Occurring Radioactive Material (NORM) using a scintillation meter with a sodium iodide detector. Any load with a reading of 50 microroentgens per hour or greater may not be unloaded or processed at the facility unless further analysis of the waste demonstrates that the waste does not exceed 30 picocuries per gram Radium-226 combined with Radium-228, and 150 picocuries per gram of any other radionuclide.
- F. A centrifuge test on a representative sample of each truck load of waste shall be run prior to acceptance at the facility. Any waste shipment containing less than 90% solids, as determined by this centrifuge test, shall be dewatered until the waste has met the standards for acceptance at the facility.
- G. In all cases where the generator of the waste takes samples and analyzes the waste to determine whether the waste meets the parameters for treatment or disposal at the facility, the permittee shall obtain copies of the records, a.k.a. lab sheets, documenting analyses prior to acceptance of waste at the facility. A representative of the permittee must signify on the lab sheet, in writing, that he or she has reviewed the lab sheet and determined that the waste meets criteria specified in the permit for acceptance at the facility. The permittee's representative making this statement must sign and date the statement.
- H. All equipment utilized by the permittee to conduct sample analysis must be maintained in good working order and calibrated in accordance with the manufacturer's recommendations. All equipment maintenance and calibration must be documented and documentation maintained at the facility until the facility is closed.

- I. Manifests for wastes from commercial facilities (disposal facilities) must be accompanied by the lab sheet showing analyses for total organic chlorides (TOC) and total metals identified in 40 CFR Part 261.24. A representative of the operator must signify on the lab sheet, in writing, that he or she has reviewed the lab sheet and determined that the waste meets the criteria specified in the permit for acceptance at the facility. The permittee's representative making this statement must sign and date the statement.
- J. The permittee shall maintain the following records on each load of waste received at the facility for a period of three years from the date of receipt:
 1. Description of the site where the waste was generated, including:
 - i. Generator name;
 - ii. Lease name, lease number and well number, or gas ID number, or American Petroleum Institute (API) well number;
 - iii. County; and
 2. Waste hauler name;
 3. Date the waste is received;
 4. Volume of waste material received and disposed of in each cell (specify units);
 5. Cumulative volume of waste material received in each cell;
 6. Type and description of waste (e.g. oil-based drilling fluid, tank bottoms, etc.). For soils contaminated with produced water, crude oil or condensate, indicate how it was determined that the waste is exempt from RCRA, Subtitle C; and
 7. Copies of all laboratory analytical results and chain of custody required by Conditions III.B., III.C., III.D., III.E., and III.F.
- K. A report of the records required by Condition III.J. must be submitted to Technical Permitting in Austin as part of the Quarterly Report required in Condition I.P. of this permit. If no waste was received within a reporting period, a written statement indicating that no waste was received must be submitted to Technical Permitting in Austin as part of the Quarterly Report.

IV. GENERAL FACILITY DESIGN

- A. The general layout and arrangement of the facility shall be consistent with the Facility Schematic received May 12, 2014, which is attached to and incorporated as part of this permit as **Permit Attachment A**.
- B. Prior to beginning operations, the facility shall have procedures in place to prevent unauthorized access. The entire facility shall be surrounded by a security fence. Access shall be maintained by a locked gate when the facility is unattended.
- C. Any material used in the treatment process must be stored in vessels designed for the safe storage of the particular chemical and these vessels must be maintained in a leak free condition.

- D. A minimum 50 foot buffer zone shall be maintained between the boundaries of the property and the treatment cells.

V. DRILLING FLUID DISPOSAL PIT (PERMIT NO. P010932)

- A. The general layout and arrangement of the pit shall be consistent with the Facility Schematic received May 12, 2014, which is attached to and incorporated as part of this permit as **Permit Attachment A**.
- B. Use of the pit is limited to the disposal of water base drilled fluid and associated cuttings with a chloride concentration of 6,000 mg/L or less, including those types of wastes generated in Mexico by PEMEX. No other oil field fluids or oil and gas wastes may be stored or disposed of in the pit.
- C. The capacity of the pit may not exceed either 400,000 barrels or 83,185 cubic yards.
- D. At least two feet of freeboard must be maintained between the fluid level in the pit and the top of the pit.
- E. The pit must be equipped with a level alarm or visual device to alert waste haulers using the pit that the fluid level in the pit has reached the maximum level allowed by this permit.
- F. The land surface must be graded such that all surfaces slope away from the pit so as to eliminate any storm water surface flow from entering the pit.
- G. Berms must be constructed to a height of eight feet above grade and a width at the base of at least 25 feet. Berms must be maintained on all sides of the pit with a slope no steeper than 3:1 (horizontal:vertical) ratio.
- H. No oil may be allowed to accumulate on top of the water stored in the pit. Any oil on top of the water must be skimmed off and handled in accordance with the RRC rules. A Skim Oil/Condensate report (Form P-18) must be filed with the RRC for every month in which skim oil is recovered and then subsequently sold during the operation of this facility.
- I. The records required by the above conditions must be maintained by the permittee for at least three years from the date the waste was received at the facility. The records must be filed with the RRC upon request.
- J. The permittee shall not accept waste from a waste hauler unless the waste hauler has an RRC issued waste hauler permit and is authorized to deposit waste at this facility.
- K. Unless otherwise required by conditions of this permit, construction, use, and maintenance of the pit shall be in accordance with the information represented on the application (Form H-11) and attachments thereto.
- L. A sign shall be posted at the pit, which shall show the pit permit number in numerals at least three inches in height.

- M. The pit shall be dewatered, backfilled, and compacted within 120 days of final cessation of use of the pit and shall be closed in accordance with the December 30, 1999, Closure Plan, available in **Permit Attachment B¹**. Final surface grading of the pit must be performed in such a manner that rainfall will not collect at the pit location after pit closure. Upon final closure, the District Office shall be notified in writing.
- N. This permit does not authorize the discharge of any oil and gas wastes from the pit.

VI. COLLECTING PIT/SKIMMING PIT (PERMIT NO. P012318)

- A. The general location of the pit shall be consistent with the Facility Schematic which is attached to and incorporated as part of this permit as **Permit Attachment A**. The construction of the Collecting/Skimming Pit shall be consistent with the Collecting/Skimming Pit schematic provided in **Permit Attachment C**.
- B. Technical Permitting in Austin and the appropriate District Office must be notified in writing when construction of the pit begins, and when the pit is complete.
- C. The permittee may construct a concrete skimming and settling pit at the facility entrance. Any waste shipment containing less than 90% solids, as determined by centrifuge test conducted by the permittee prior to acceptance of the waste at the facility (Permit Condition III.F.), shall be deposited into this pit and the contents allowed to settle. Thereafter, liquids from the surface of the pit shall be removed and disposed of by injection. Material that has settled at the bottom of the pit shall be centrifuged and, if the material contains less than 90% solids, further dewatered until the solids fraction meets or exceeds 90%. At that point, the pit contents (containing no more than 10% liquids) may be placed in an appropriate landtreatment cell for management in accordance with permit conditions.
- D. Use of the pit is limited to the collection of oil and gas waste as described in Permit Condition III.A. The waste shall have a chloride concentration of 6,000 mg/L or less, including those types of wastes generated in Mexico by PEMEX. No other oil field fluids or oil and gas wastes may be stored or disposed of in the pit.
- E. The capacity of the pit shall not exceed either 1,700 barrels or 354 cubic yards.
- F. At least two feet of freeboard must be maintained between the fluid level in the pit and the top of the pit.
- G. The land surface must be graded such that all surfaces slope away from the pit so as to eliminate any storm water surface flow from entering the pit.
- H. The pit shall be lined with steel-reinforced concrete at least six inches in thickness.
- I. Berms must be constructed to a height of three feet above grade and a width at the base of at least nine feet. Berms must be maintained on all sides of the pit with a slope no steeper than 3:1 (horizontal:vertical) ratio.

¹ Excluding the Closure Cost Estimate in Section V. of the December 30, 1999, Closure Plan.

- J. No oil shall be allowed to accumulate on top of the water stored in the pit. Any oil on top of the water must be skimmed off and handled in accordance with the RRC rules. A Skim Oil/Condensate report (Form P-18) must be filed with the RRC for every month in which skim oil is recovered and then subsequently sold during the operation of this facility.
- K. The records required by the above conditions must be maintained by the permittee for at least three years from the date the waste was received at the facility. Upon request of the RRC, the records must be filed with the RRC.
- L. The permittee must maintain a record of when the liner is inspected and the results of each inspection. This record must be maintained by the permittee for the life of the pit.
- M. The permittee shall not accept waste from a waste hauler unless the waste hauler has an RRC issued waste hauler permit and is authorized to deposit waste at this facility.
- N. Unless otherwise required by conditions of this permit, construction, use, and maintenance of the pit shall be in accordance with the information represented on the application (Form H-11) and attachments thereto.
- O. A sign shall be posted at the pit, which shall show the pit permit number in numerals at least three inches in height.
- P. The pit must be dewatered, emptied, backfilled, and compacted within 120 days of final cessation of use of the pit and shall be closed in accordance with the December 30, 1999, Closure Plan, available in **Permit Attachment B²**. Final surface grading of the pit must be performed in such a manner that rainfall will not collect at the pit location after pit closure. Upon final closure, the District Office shall be notified in writing.
- Q. This permit does not authorize the discharge of any oil and gas wastes from the pit.

VII. LANDTREATMENT AREA

A. CONSTRUCTION

- 1. The landtreatment facility shall be consistent with the Facility Schematic which is attached to and incorporated as part of this permit as **Permit Attachment A**.
- 2. Landtreatment Cells shall be the following sizes:

<u>Landtreatment Cell</u>	<u>Area (acres)</u>
Cell 1	1.35
Cell 2	1.35
Cell 3	5.5
Cell 4	8.5
Cell 5	16.5

² Excluding the Closure Cost Estimate in Section V. of the December 30, 1999, Closure Plan.

3. The total volume of oil and gas waste to be accepted for landtreatment and/or disposal shall be no greater than 974,180 cubic yards. The total volume of waste accepted by the date of this permit is 279,615 cubic yards.
4. A perimeter dike or levee must be constructed to surround the entire landtreatment area. The dike or levee must be keyed into the underlying soil and must be constructed and maintained to a height and width at the base adequate to control and divert run-on from elevated areas adjacent to the landtreatment cells with a slope no steeper than a three to one (horizontal to vertical) ratio on each side.
5. Dikes or levees must be constructed to surround each landtreatment cell to partition waste in the individual cells. The dikes or levees must be constructed and maintained to a height of three feet and a slope no steeper than a three to one (horizontal to vertical) ratio on each side.
6. Off-load ramps must be constructed for each of the landtreatment cells.
7. Stormwater surface flow must be controlled and diverted around the landtreatment plots.

B. OPERATION

1. A freeboard of at least two feet must be maintained between the level of the waste in the landtreatment cells and the top of the berm.
2. Prior to waste application, the entire landtreatment area must be thoroughly disked and aerated and may be prepared by the addition of agricultural chemicals or bio-accelerators, if needed.
3. The EC of the waste must be eight mmhos/cm or less prior to placement in a landtreatment cell.
4. The waste must be applied to the landtreatment cells in such a manner that the waste will not pool or migrate off the approved landtreatment area or enter any watercourses or drainage ways, including any drainage ditch, dry creek, flowing creek, river, or any other body of surface water.
5. The permittee shall ensure that the waste is uniformly dispersed at a total thickness of no greater than 12 inches and fully and evenly incorporated into the top 12 inches of soil. Any active cell must be mixed with the soil and tilled or disked within 24 hours of waste application and monthly thereafter until the cell is closed in accordance with Permit Condition IX.A. No waste shall be stockpiled within any landtreatment cell.
6. No waste shall be accepted or disposed of during periods of rainfall.
7. Any standing or pooled rainwater, or other liquids, in the treatment cells or within the perimeter berm, must be removed within 72 hours and disposed of in an authorized manner.
8. Fertilizer shall be added as necessary to maintain the optimum aerobic carbon, nitrogen, and phosphorus (C:N:P) ratio.

9. The cumulative waste applied to any cell shall not exceed 12 inches in height.
10. Upon reaching the maximum capacity of 12 inches in a cell and meeting all closure limitations of this permit, the operator may remove the treated/remediated material from the cell that has met the closure parameters and may use the treated/remediated material within the confines of the facility as berms, roads, or backfill material. Treated/remediated material removed from the cells prior to use as on-site berms or roads shall be stockpiled in the designated area represented as *Material Stockpile Area* as presented in the Facility Schematic in **Permit Attachment A**. Treated material may not be stockpiled in any other area without the consent of RRC.
11. The total volume of treated/remediated waste used at the facility as berms, roads, or stockpile may not exceed 974,180 cubic yards, as required by the December 30, 1999, Closure Plan available in **Permit Attachment B**³. Records of the volume of treated/remediated waste shall be submitted to Technical Permitting in Austin and the appropriate District Office as part of the Quarterly Report required in Condition I.P. of this permit and shall include the following information:
 - i. Volume of treated/remediated waste removed from the cells during each quarter; and
 - ii. Total volume of treated/remediated waste removed from the cells during the lifetime of the facility; and
 - iii. Test results of removed treated material prior to placement outside of the cells that have met closure limits as required in Condition IX.A.
12. This permit does not authorize the use of the treated or untreated material outside the confines of the facility.

C. LANDTREATMENT AREA MONITORING

1. For the purposes of monitoring and sampling the soils, the following definitions will be employed:

<u>Treatment Zone</u>	<u>Zone Depth</u>
Surface Treatment Zone (STZ)	Surface to 12 inches Below Land Surface (BLS)
Waste Treatment Zone (WTZ)	12 inches to 24 inches (BLS)
Compliance Monitoring Zone (CMZ)	24 inches to 36 inches (BLS)

2. For the purposes of sampling, there shall be one composite sample for every four acres of each cell for each treatment zone, rounding to the nearest positive integer, i.e. a two-acre cell would require one composite sample for each zone, and a six-acre cell would require two composite samples for each zone.

³ Excluding the Closure Cost Estimate in Section V. of the December 30, 1999, Closure Plan.

3. The area representing each composite sample shall be divided into adjacent, one acre subsections. A minimum of one grab sample from each subsection shall be combined into a composite sample. Each sample shall be collected using standard approved sampling and collection procedures.
4. A cell is considered active once it accepts waste and remains active until it has met the closure requirements listed in Condition IX.A. While a cell is active, the composite samples from the STZ and WTZ must be analyzed **quarterly**, and the composite samples from the CMZ must be analyzed **annually**. All composite samples shall be analyzed for and shall not exceed the following parameters:

<u>PARAMETER</u>	<u>LIMITATION</u>
pH <i>EPA Method 9045C</i>	6 to 10 s.u.
Electrical Conductivity (EC) <i>Louisiana Dept. of Natural Resources Lab Procedures for Analysis of E&P Waste or equivalent</i>	≤ 8 mmhos/cm
Sodium Adsorption Ratio (SAR)	≤ 12
Cation-Exchange Capacity (CEC)	Report
Total Petroleum Hydrocarbons (TPH) <i>Method TX1005</i>	Report up to C ₃₅
Benzene, Toluene, Ethylbenzene, Xylenes (BTEX) <i>EPA Method 8021/8260B</i>	≤ 30 mg/kg
Total Metals <i>EPA Method 6010/6020/7471A</i>	
Arsenic	≤ 10 mg/kg
Barium	$\leq 10,000$ mg/kg
Cadmium	≤ 10 mg/kg
Chromium	≤ 100 mg/kg
Lead	≤ 200 mg/kg
Mercury	≤ 10 mg/kg
Selenium	≤ 10 mg/kg
Silver	≤ 200 mg/kg

5. If any parameter from a composite sample exceeds its limitation required by Condition VII.C.4., the area representing the sample must be tilled and resampled for that parameter. This must be performed no less than once per month until the sample does not exceed its limitation. If the area representing the sample continues to exceed its limitation in any parameter after three months of sampling, the cell is not authorized to accept additional waste until the sample does not exceed its limitation.

6. More frequent analyses may be required depending on the results of analyses required by Condition VII.C.4.
7. The appropriate District Office must be notified by phone or email at least 48 hours prior to any sampling event.
8. The information required by Conditions VII.C.4. and VII.C.5. and a summary of information recorded during the quarter shall be submitted to Technical Permitting in Austin as part of the Quarterly Report required in Condition I.P. of this permit. The summary shall contain a map drawn to scale of sampling locations and a soil quality table indicating the results of all sampling parameters, the date parameters were sampled, zone of sampling, and reference the location from which the sample was taken and the corresponding laboratory analytical results and chain of custody.

VIII. STORMWATER CONTROL

- A. The facility must be designed and constructed to contain contact stormwater and prevent run-on of non-contact stormwater.
- B. A discharge permit from the EPA may be required for non-contact stormwater discharges. If required, the permit from the EPA must be in place prior to commencement of discharge operations.
- C. Contact stormwater shall be prevented from migrating outside of the landtreatment cells and pits. Landtreatment cells and pits shall be sloped to facilitate the collection of contact stormwater.
- D. Non-contact stormwater shall be prevented from entering the landtreatment cells and pits. Areas outside of the landtreatment cells and pits shall be sloped to prevent non-contact stormwater from entering the landtreatment cells and pits.
- E. Contact stormwater must be collected within 24 hours of accessibility and disposed of in an authorized manner.
- F. This permit does not authorize the discharge of any oil and gas waste or any stormwater that has come into contact with oil and gas waste.

IX. FACILITY CLOSURE

- A. Prior to commencing closure of any landtreatment cell, all composite samples from the cell may not exceed any of the limitations from Condition VII.C.4. in addition to the following limitations:

<u>PARAMETER</u>	<u>LIMITATION</u>
TPH	≤ 10,000 mg/kg or 1 weight %
Benzene	≤ 5.0 mg/kg

- B. A summary of the information required from Condition IX.A. for closure shall be submitted to Technical Permitting in Austin. The summary shall contain a map drawn to scale of the sampling locations, a soil quality table indicating the results of all sampling parameters, the date parameters were sampled, the date of sampling, the zone of sampling, and reference the location from which the sample was taken and the corresponding laboratory analytical results and chain of custody.
- C. The contents of all vessels, tanks, sumps, ponds, or other containers shall be disposed of in an authorized manner.
- D. When waste target values have been verified by Technical Permitting in Austin, the dikes of the landtreatment cell shall be leveled to grade. The topsoil must then be contoured, seeded, and re-vegetated.
- E. All equipment shall be removed and salvaged, if possible, or disposed of in an authorized manner.
- F. Except for the closure cost estimate, the landtreatment cells and the entire facility shall be closed in accordance with the Closure Plan dated on December 30, 1999, available in **Permit Attachment B⁴**. The closure cost estimate approved on September 25, 2015, is \$357,840.00 which is available in **Permit Attachment D**.
- G. Technical Permitting in Austin and the appropriate District Office must be notified in writing 45 days prior to commencing closure of the landtreatment cell.

This authorization is granted subject to review and cancellation should investigation show that such authorization is being abused.

Grant Chambless, P.G.
Manager, Environmental Permits and Support
Technical Permitting

Attachments

cc: RRC – Corpus Christi District Office / 04
RRC – Reporting Log, Austin
RRC – Production Audit, Austin

⁴ Excluding the Closure Cost Estimate in Section V. of the December 30, 1999, Closure Plan.

PERMIT ATTACHMENT A

Facility Schematic

N 35°20'04" W 1634.06'

SET CAPPED REBAR

312.80 ACRES
AMINTA F. GUITIERREZ
VOL. 544, PG. 722
JULY 7, 1996

201.083 AC
ESPUELA LAND AND CATTLE
VOL. 642, PG. 191

SET CAPPED REBAR



ALL BEARINGS ARE GRID BEARINGS
BASED ON THE TEXAS PLANE COORDINATE
SYSTEM FOR THE SOUTH ZONE,
1983 NORTH AMERICAN DATUM.



122 AC
L-BAR-L CATTLE
VOL 410, PG 570
MAY 29, 1989

DATE: MAY 5, 2014

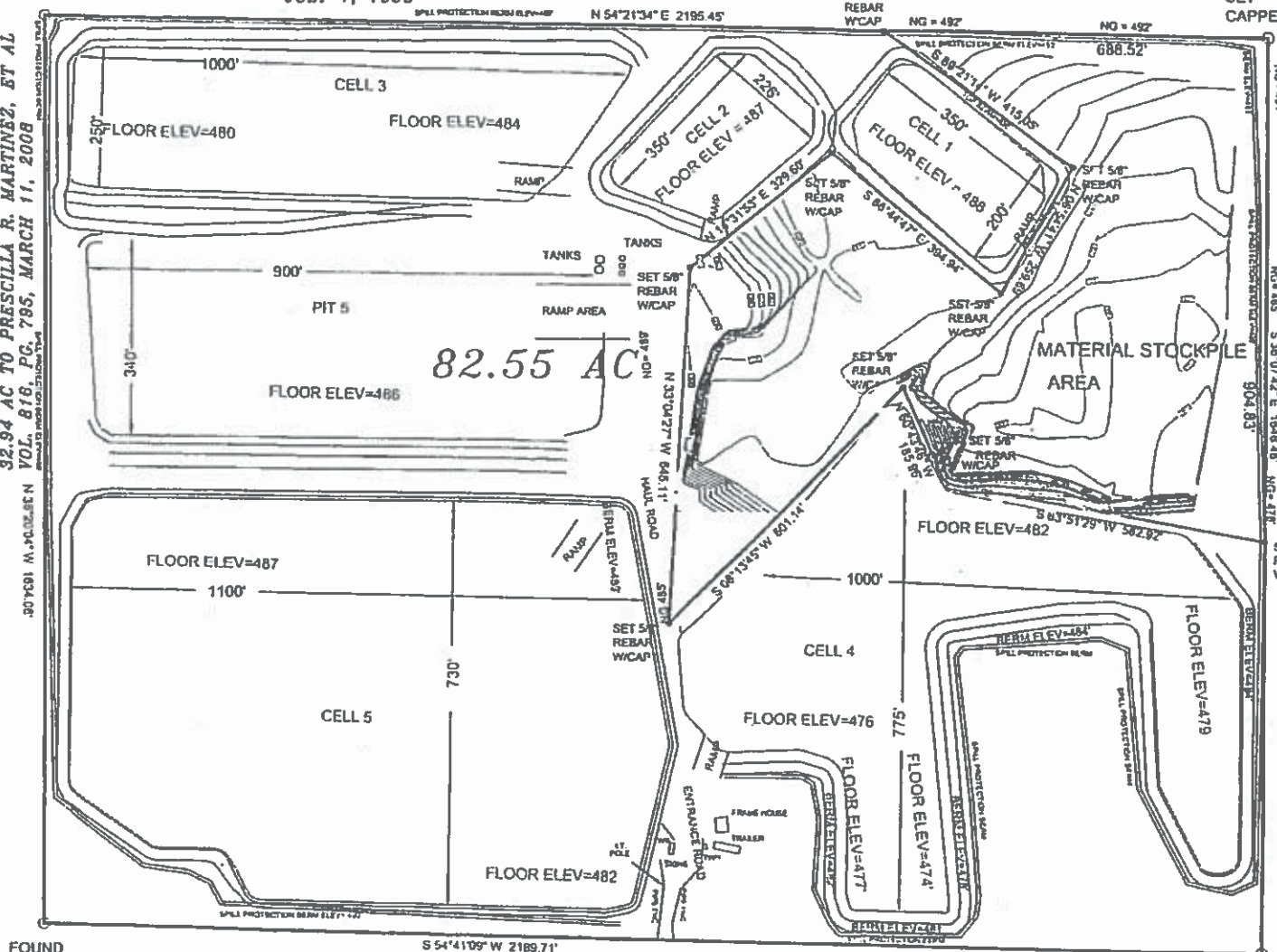
I HEREBY CERTIFY THAT THIS
PLAT REPRESENTS AN ACTUAL
SURVEY PERFORMED BY ME ON
THE GROUND.

WILLIAM DOUGLAS DOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR
TEX. REG. NO. 4143



SCAVENY OF 62.66 ACRES, BEING THE CERTAIN 25.17 ACRES
BEING THE FIRST PART OF THE SECOND TRACT DESCRIBED IN A
PARTITION DATED JULY 30, 1979 AND RECORDED IN VOLUME 252,
PAGE 707 OF THE DEED RECORDS OF LAPATA COUNTY, TEXAS.
SAVE AND EXCEPT THAT PORTION LYING WITHIN THE R.O.W. OF HWY 16

DRAWN	DATE	WILLIAM DOVE
	05/05/14	AND ASSOCIATES
APPROVED	DATE	111 KNOLL TRAIL
		SANDIA, TEXAS 78383
SCALE	SHEET	PROJECT NO.
1" = 200'	SF044-14	PHONE (361) 547-9665



**FOUND
CAPPED REBAR**

STATE HIGHWAY 16

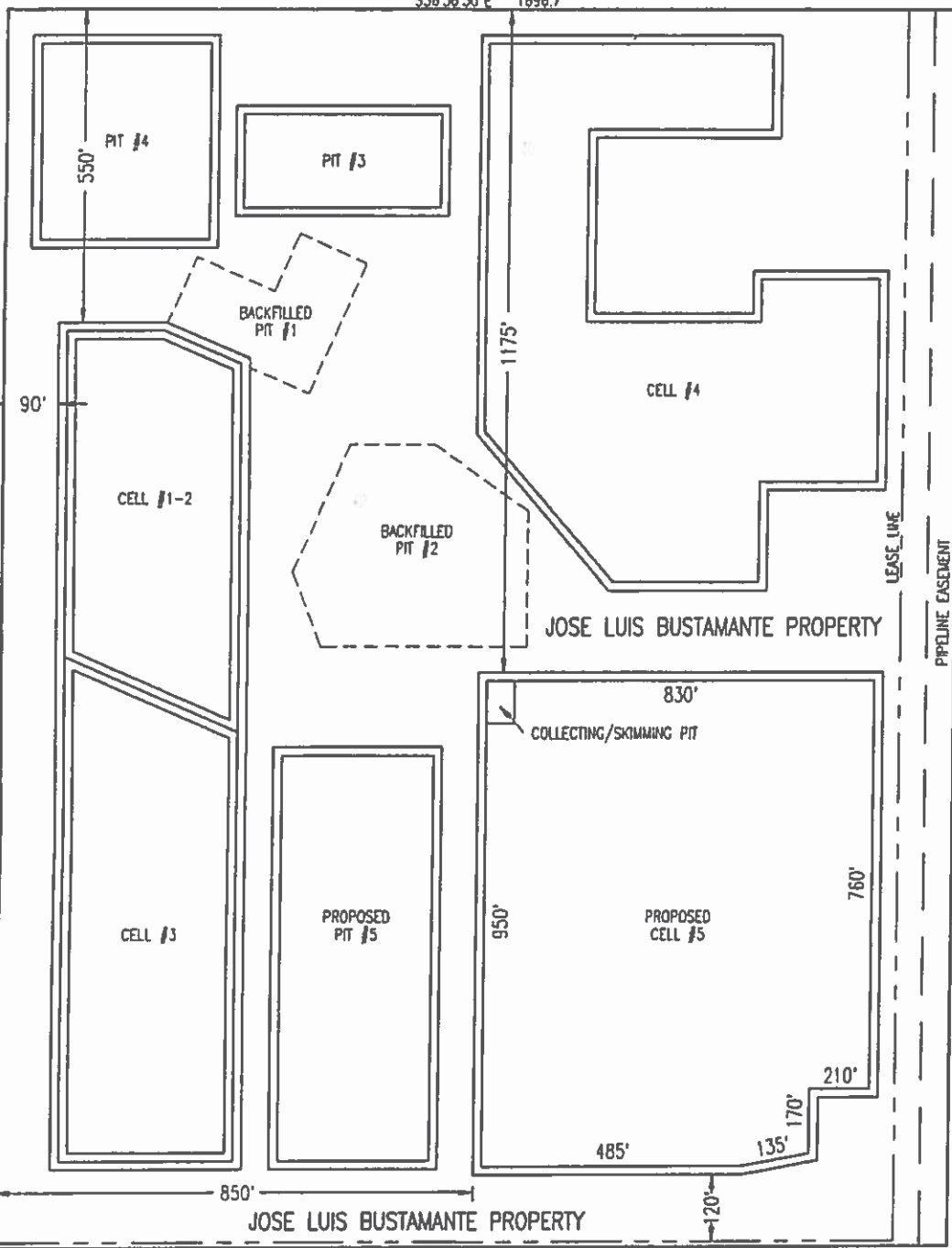
SET
CAPPED REBAR

LAURO GUTIERREZ

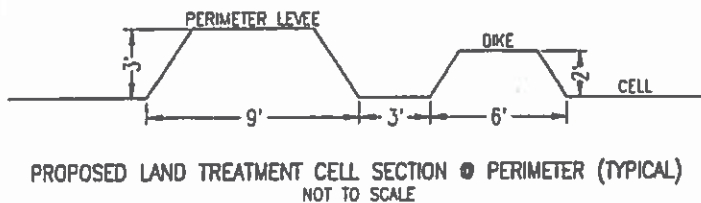
SHARE 2
SHARE 1

OVERHEAD POWER LINE

N53°55'E 2185.5'



NORTH
SCALE: 1:300±
012098



J. MOSS INVESTMENTS, INC.
ZAPATA COUNTY, TEXAS

Attachment 1

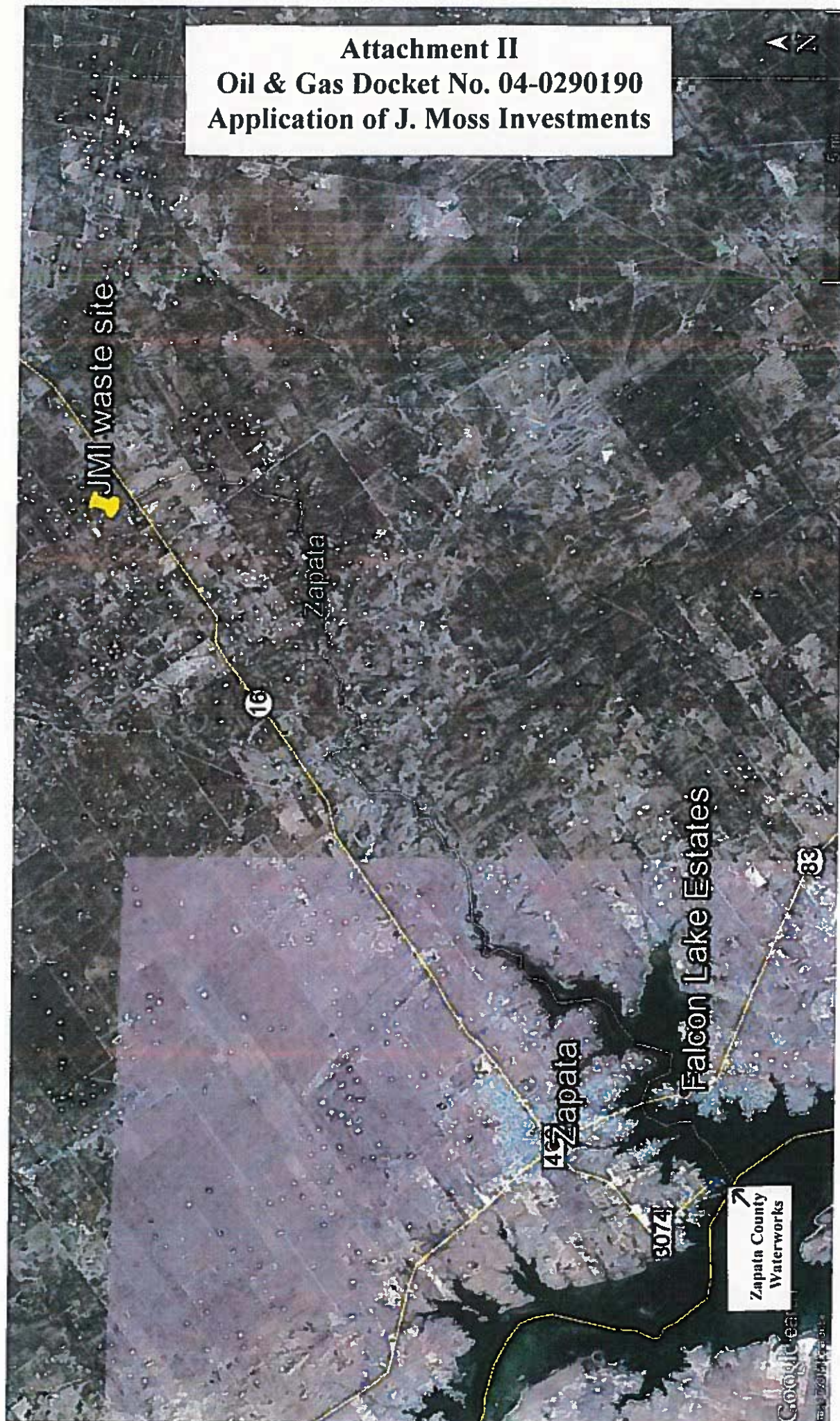
SITE DIAGRAM AND ADJACENT PROPERTY OWNERS

Gordon & Lawton, Inc.

P.O. Box 80072
Austin, Texas 78708

Tele: (512) 834-8201
Fax: (512) 834-0886

Attachment II
Oil & Gas Docket No. 04-0290190
Application of J. Moss Investments



Sec. 81.033. POWER OF COMMISSIONERS COURT IN COUNTY WITH NO INCORPORATED TERRITORY. (a) This section applies only to a commissioners court of a county that has a population of more than 5,000, is located within 100 miles of an international boundary, and contains no incorporated territory of a municipality.

(b) If approved at an election held in the county for that purpose, the commissioners court has, in addition to the powers given to it under this code or other law, all the powers of the governing body of a Type A general-law municipality, including the powers contained in Subtitle A, Title 7, except that:

(1) the commissioners court may not regulate an activity outside the county;

(2) the commissioners court may not regulate a tract of land that is appraised as agricultural or open-space land by the appraisal district;

(3) the commissioners court may not exercise the powers of a municipality under Chapter 211 or 213; and

(4) if this code or other law provides for a procedure by which a county exercises a power, the commissioners court must use that procedure.

(c) For an election under this section, the ballot shall be prepared to permit voting for or against the proposition: "Granting (name of county) County the authority to enact ordinances in the same manner as a general-law municipality."

(d) If a majority of the votes cast at the election favor the proposition, the commissioners court has the powers described by Subsection (b).

(e) If territory of the county becomes incorporated in a municipality:

(1) in the area outside the municipality and outside the municipality's extraterritorial jurisdiction, the authority of the commissioners court to exercise a power under this section:

(A) expires, on the date of the incorporation, with regard to a subject on which the court has not previously acted under this section; and

(B) continues with regard to a subject on which the court has previously acted under this section; and

Attachment III

Oil & Gas Docket No. 04-0290190

(2) in the area in the municipality or in the extraterritorial jurisdiction of the municipality, the authority of the commissioners court to exercise a power under this section expires on the 180th day after the date of the municipal incorporation.

(f) On receipt of a petition signed by at least 10 percent of the county's registered voters, the commissioners court shall call an election on the repeal of an order or ordinance authorized by this section on the first uniform election date that occurs after the 90th day after the date the petition is filed. The order or ordinance is repealed if a majority of the votes cast at the election favor repeal. A petition requiring an election under this subsection may not be filed sooner than the fifth anniversary of the date of an election held under this subsection.

Added by Acts 2003, 78th Leg., ch. 1029, Sec. 1, eff. Sept. 1, 2003.
Amended by:

Acts 2007, 80th Leg., R.S., Ch. 797 (S.B. 63), Sec. 1, eff. June 15, 2007.