BARRY T. SMITHERMAN, CHAIRMAN DAVID PORTER, COMMISSIONER CHRISTI CRADDICK, COMMISSIONER



# RAILROAD COMMISSION OF TEXAS

# OIL AND GAS DIVISION

December 30, 2013

# To: Contact Persons for 2013 Hazardous Oil and Gas Waste Generators

We have attached for your use the 2013 Annual Hazardous Oil and Gas Waste Report package. A separate report is required for each generation site. Please forward this package to the appropriate person if you are not responsible for completing and submitting the report. The report package includes Railroad Commission form H-21 ("2013 Hazardous Oil and Gas Waste Report") and instructions for completing the form. The instructions will also assist you in calculating the required annual fee for your site's hazardous oil and gas waste generation. Additional report packages will be available at RRC District Offices and from this office.

The completed 2013 Hazardous Oil and Gas Waste Report (RRC form H-21) for your site must be submitted to this office no later than March 1, 2014. The report must be accompanied by the correct annual fee payment.

Note to Large and Small Quantity Generators (LQGs and SQGs) whose site has a permanent registration, but will submit the voluntary "Exemption From 2013 Hazardous Oil and Gas Waste Reporting" form.

You are indicating that your site was not a LQG or a SQG in 2013, despite the site having that status on its notice of registration. If your site will remain a Conditionally Exempt Small Quantity Generator (CESQG) or will not generate any hazardous oil and gas waste in the future (inactive), you should submit to this office a subsequent notification (EPA form 8700-12, "Site Identification Form" and RRC form H-20). The subsequent notification should indicate the current status of your site and any other corrected information (e.g., contact person).

# RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

# 2013 RRC ANNUAL REPORT HAZARDOUS OIL AND GAS WASTE STATEWIDE RULE 98

Cover Sheet
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The Annual Report for hazardous oil and gas waste generation and management in 2013 by Large Quantity Generators (LQGs) and Small Quantity Generators (SQGs) is due no later than March 1, 2014. The appropriate annual fee must accompany each annual report. Sites that were Conditionally Exempt SQGs (CESQGs) in all months of 2013 are not required to submit an Annual Report or required to pay an annual fee. Please refer to Rule 98, subsections (u) and (z), for specific reporting and fee requirements. Railroad Commission Oil and Gas Statewide Rules can be found on the Railroad Commission's web site at www.rrc.state.tx.us.

Rule 98, subsection (u)(1), requires the use of RRC Form H-21, 2013 Hazardous Oil and Gas Waste Report, for submission of the Annual Report. RRC Form H-21 and detailed instructions for completing Form H-21 are provided on the following pages. The following pages include:

- RRC Form H-21
- Instructions for completing Form H-21, 2013 Hazardous Oil and Gas Waste Report
- Attachment A: Voluntary Notification of Exemption From Reporting
- Attachment B: NAICS Codes
- Attachment C: Annual Hazardous Oil and Gas Waste Generation Fee
- Attachment D: Source Codes
- Attachment E: Form Codes
- Attachment F: Management Method Codes

As noted above, a site registered as a LQG or a SQG, but actually operated as a CESQG during all months of 2013, is not required to submit an Annual Report. However, those sites registered as LQG or SQG, but were actually CESQG the entire year, may *voluntarily* complete and submit the **report exemption form** (Attachment A to these instructions). The definitions of LQG, SQG, and CESQG sites are provided in Rule 98, subsection (f).

Contact information for the Railroad Commission's Hazardous Waste Program is provided on the back of this page.

File Annual Reports with the Railroad Commission in Austin
Do Not Send Annual Reports To EPA

(over)

# Railroad Commission Oil and Gas Division Technical Permitting Hazardous Waste

# **Contact Information**

Send completed 2013 Hazardous Oil and Gas Waste Reports and Annual Fees to the following address:

Railroad Commission of Texas Oil and Gas Division Technical Permitting Environmental Permits & Support P.O. Box 12967 Austin, Texas 78711-2967

RRC Form H-21 is available on the RRC web site at www.rrc.state.tx.us, if additional copies are needed.

For regulatory guidance contact La'Kisha Fredericks by calling (512) 463-2638, or by sending e-mail to lakisha.fredericks@rrc.state.tx.us.

# Instructions 2013 Hazardous Oil and Gas Waste Report RRC Form H-21

# Section I "Identification Information"

Complete boxes A - J with company and site information. In Box F, enter the site's assigned 12-digit EPA ID number.

In Boxes G - J, enter name, title, e-mail address (if available), and phone number of person to contact should questions arise concerning information contained in this report. For NAICS Code in Box H, please see Attachment B ("1987 SIC Matched to 1997 NAICS").

# Section II "Site Status"

<u>Box A</u>: Mark box that applies to the site's generator status (LQG or SQG).

<u>Box B</u>: Mark "Yes" or "No" to indicate whether at least 50% of the hazardous oil and gas wastes generated during the entire calendar year have been recycled, reclaimed, or reused. The answer to this question determines if the additional fee is applied to this generation site. Please see Attachment C ("Annual Hazardous Oil and Gas Waste Generation Fee") to these instructions for more detailed guidance regarding recycling and the annual fee calculation.

# Section III "Certification"

Complete boxes A - D with indicated information. In Box C, an original signature is necessary for the report to be considered complete.

# Section IV "Waste Generation and Management"

Reproduce the back of Form H-21 (Section IV), as necessary, for reporting generation and management of each additional waste. Make sure the site's EPA ID Number is on each additional page of this report. Also, include a page number for each page filed for each additional waste.

- Box A: Provide a short narrative description of the waste, citing:
  - General type,
  - Source,
  - Type of hazard, and
  - Generic chemical name and primary hazardous constituents
- <u>Box B:</u> Enter the corresponding EPA hazardous waste number. If there is more than one hazardous waste number for this waste, complete the appropriate number of spaces. If additional space is needed, use comments box (Box O) and cross-reference the comment by entering, for example "Section IV Box B". If fewer than four EPA hazardous waste numbers are applicable, enter "NA" in the remaining spaces.
- <u>Box C</u>: Enter the total quantity (in pounds) of waste generated during the calendar year for the waste reported.
- <u>Box D</u>: Enter the source code that describes the type of process or activity from which the hazardous oil and gas waste was generated. The list of source codes is provided in Attachment D.
- Box E: Enter the form code that describes the general physical and chemical characteristics of the hazardous oil and gas waste as it applies to the waste described in Box A. The list of form codes is provided in Attachment E.

- Box F: Enter the management method code that reflects the method of waste management (treatment, disposal, recycle) used on-site. Enter "NA" if not applicable. Enter the quantity (in pounds) that applies to this management method code. The list of management method codes is provided in Attachment F.
- <u>Box G</u>: If more than one management method code is necessary use "On-site Process System Type 2" and the comments box (Box O). If only one management method code is applicable place "NA" in the spaces reserved for "On-site Process System Type 2."
- Box H: Mark "Yes" or "No" as it applies to the waste described in Box A.
- Box I-K: Enter the management method code that reflects the method of waste management (treatment, disposal, storage) used by the receiving facility. Also, enter the quantity (in pounds) shipped off-site and the receivers' EPA ID No. If the waste was not shipped off-site, place "NA" in Boxes I K. The list of management method codes is provided in Attachment F.
- <u>Box L-N</u>: If a second management method code and/or receiving facility were used, enter corresponding information in Boxes L N. Any additional management method codes or receiving facilities may be entered in the comments box (Box O) with reference made to these boxes.
- <u>Box O</u>: Include any comments or additional information in (Box O), making reference to the corresponding box for which the information is intended.

H-21 Instructions Page 2

## Attachment A

# **Railroad Commission of Texas**

# Oil and Gas Division

Technical Permitting P.O. Box 12967 Austin, Texas 78711-2967 (512) 463-3840

# Voluntary Notification of Exemption From 2013 Hazardous Oil and Gas Waste Reporting

If this site is NOT required to file the 2013 Annual Report, you may *voluntarily* complete and return this form. The form indicates you are exempt from the annual report requirement. RRC will use the forms to help distinguish sites exempt from reporting from those sites not reporting as required by Rule 98. Please return the form to the address provided above.

This site is exempt from the requirement to file the 2013 Annual Report because the site was not a Large Quantity Generator or Small Quantity Generator in any month of 2013.

It is expected that this site will remain exempt from the requirement to file the Annual Report:

Check one:

For 2013 only

Permanently

Other (Explain:

Company Name:

Site Name:

Site Location/Address:

City:

State:

Zip:

Contact Name:

Phone Number and E-mail of Contact:

Page 1

Attachment B

Attachment B

# 1987 SIC Matched to 1997 NAICS

1987 SIC	U.S. SIC Description	1997 NAICS	NAICS Description
1311	Crude petroleum and natural gas	211111	Crude petroleum and natural gas extraction
1321	Natural gas liquids	211112	Natural gas liquid extraction (pt)
1381	Drilling oil and gas wells	213111	Drilling oil and gas wells
1382	Oil and gas field exploration services	54136	Geophysical surveying and mapping services (pt)
		213112	Support activities for oil and gas operations (pt)
1389	Oil and gas field services, nec	213112	Support activities for oil and gas operations (pt)
4612	Crude petroleum pipelines	48611	Pipeline transportation of crude oil
4922	Natural gas transmission	48621	Pipeline transportation of natural gas (pt)
4923	Natural gas transmission and distribution	22121	Natural gas distribution (pt)
		48621	Pipeline transportation of natural gas (pt)
4924	Natural gas distribution	22121	Natural gas distribution (pt)
5171	Petroleum bulk stations and terminals	42271	Petroleum bulk stations and terminals

	3	escription 1997 NAICS non salt) mining 212391
<b>4</b> -1	<u></u>	common salt) mining 212391
TOO TO BUTTO		and/or deficilities and/or defined a
49319 Other warehousing and storage (bulk petroleum storage)		
49319	49319	using and storage
		Special warehousing and storage

# ANNUAL HAZARDOUS OIL AND GAS WASTE GENERATION FEE

## BASE FEE

The base fees for LQGs and SQGs are provided below. However, it is important to note that a generator's final fee determination may be impacted by his or her response to a discharge event or the amount of generated hazardous oil and gas waste he or she recycles. These provisions are explained below. Also, see Rule 98, Subsection (z).

# **LQG** Base Fee

Each generator who is classified as an LQG during any calendar month of a calendar year shall pay to the RRC a base annual fee for generation of hazardous oil and gas waste of \$2,500.00.

# **SQG** Base Fee

Each generator who is not classified as an LQG during any calendar month of a calendar year, but is classified as an SQG during a calendar month of that calendar year, shall pay to the RRC a base annual fee for generation of hazardous oil and gas waste of \$500.00.

# **CESQG** Fee Exemption

No annual fee for generation of hazardous oil and gas waste shall be assessed against a generator who is classified as a CESQG during all months of the entire calendar year in which he or she generates hazardous oil and gas waste.

## BASE FEE DETERMINATION - WASTE VOLUMES FROM SPILLS OR DISCHARGES

For the purposes of determining the base fee, the generator classification that is used may be determined after excluding quantities of hazardous oil and gas waste generated in connection with a spill or discharge, including contaminated soil, media, and debris, if, within 30 days after discovery of such spill or discharge, the generator has filed with the Hazardous Waste Program at RRC headquarters in Austin a one-page typewritten report that describes:

- the nature and quantity of spilled or discharged material;
- the reason for or cause of the spill or discharge; and
- the steps that have been or will be taken by the generator to minimize the likelihood of a similar spill or discharge at that site.

## ADDITIONAL FEE FOR LESS THAN 50% RECYCLING

The base annual fee is doubled *if less than 50%* of the hazardous oil and gas wastes generated at the site during the entire calendar year are recycled, reused or reclaimed. The generator must indicate and certify on the annual report (form H-21) that at least 50% of the hazardous oil and gas wastes generated at the site during the entire calendar year were recycled, reused or reclaimed. For example, if a LQG site did not recycle at least 50% of its hazardous waste, the annual fee would be \$5,000 (i.e., \$2,500 x 2).

For purposes of calculating the percentage of hazardous oil and gas wastes that are recycled, reused, or reclaimed, certain wastes either excluded from regulation under Rule 98, or subject to reduced regulation under Rule 98, may be included in the quantity of hazardous oil and gas waste recycled, reused, or reclaimed. These wastes are those described in Rule 98, subsections (e)(3)(B)(i)-(iii) and (m)(2)(B).

Subsection (e)(3)(B)(i)-(iii) refers to recyclable materials listed in 40 CFR §261.6(a)(2)-(3) and used oil that is not considered a hazardous waste under the provisions of 40 CFR §279.10(b) and that is managed as provided in 40 CFR Part 279. A general description of the wastes listed in 40 CFR §261.6(a)(2)-(3) is provided below:

- used batteries returned to manufacturers for regeneration,
- spent lead-acid batteries being reclaimed,
- used oil exhibiting a characteristic that is recycled but not burned for energy recovery (except by a generator or in a BIF that is not marketed),
- scrap metal,
- fuels produced from oil-bearing hazardous waste,
- petroleum coke,
- · industrial ethyl alcohol,
- materials used or reused to make a product in an industrial process,
- · materials used or reused as substitutes for commercial products, and
- materials that are returned to the process from which they are generated.

Rule 98, Subsection (m)(2)(B), discusses exceptions to the general prohibition of on-site treatment or storage of hazardous oil and gas waste. Specifically, the subsection lists requirements for the use of elementary neutralization units, totally enclosed treatment facilities, and wastewater treatment units.

Important note: The wastes excluded from substantive regulation under Rule 98 under the provisions of subsections (e)(3)(B)(i)-(iii) and (m)(2)(B) of Rule 98 shall not be included when calculating the quantity of waste generated for purposes of determining generation site classification.

### FEE PAYMENT

The base fee and any additional fee assessed under this subsection shall be paid to the RRC on or before the first day of March of the year following the calendar year in which the waste was generated. Therefore, for hazardous oil and gas waste generated in 2013, the annual fee is to be submitted on or before March 1, 2014. Fees assessed under Rule 98 must be submitted to the RRC with the annual report (form H-21).

It is very important that you submit the correct annual fee payment with the annual report. If you have any questions regarding the annual fee calculation, please contact La'Kisha Fredericks by calling (512) 463-2638, or by sending e-mail to lakisha.fredericks@rrc.state.tx.us.

# Attachment D

**SOURCE CODES** Source codes describe the type of process or activity (i.e., source) from which a hazardous waste was generated.

Code	Source Code Group
	Wastes from Ongoing Production and Service Processes
G01	Dip, flush or spray rinsing (using solvents to clean or prepare parts or assemblies for further processing - i.e. painting or assembly)
G02	Stripping and acid or caustic cleaning (using caustics to remove coatings or layers from parts or assemblies)
G03	Plating and phosphating (electro- or non-electroplating or phosphating)
G04	Etching (using caustics or other methods to remove layers or partial layers)
G05	Metal forming and treatment (pickling, heat treating, punching, bending, annealing, grinding, hardening, etc.)
G06	Painting and coating (manufacturing, building, or maintenance)
G07	Product and by-product processing (direct flow of wastes from chemical manufacturing or processing, etc.)
G08	Removal of spent process liquids or catalysts (bulk removal of wastes from chemical manufacturing or processing, etc.)
G09	Other production or service-related processes from which the waste is a direct outflow or result (specify in comments)
	Other Intermittent Events or Processes
G11	Discarding off-specification or out-of-date chemicals or products (unused chemicals or products - corresponds to P and U hazardous waste codes)
G12	Lagoon or sediment dragout and leachate collection (large scale operations in open pits, ponds, or lagoons)
G13	Cleaning out process equipment (periodic sludge or residual removal from enclosed processes including internal scrubbing or cleaning)
G14	Removal of tank sludge, sediments, or slag (periodic sludge or residual removal from storage tanks including internal scrubbing or cleaning)
G15	Process equipment change-out or discontinuation of equipment use (final materials and residuals removal including cleaning)
G16	Oil changes and filter or battery replacement (automotive, machinery, etc)
G19	Other one-time or intermittent processes (specify in comments)
	Pollution Control and Waste Management Process Residuals
G21	Air pollution control devices (baghouse dust or ash from stack scrubbers or precipitators; vapor collection, etc.)
G22	Laboratory analytical wastes (used chemicals from laboratory operations)
G23	Wastewater treatment (sludge, filter cake, etc., including wastes from treatment before discharge by NPDES or POTW or by UIC disposal)
G24	Solvent or product distillation or recovery (sludge, waste solvent, bottoms, from recovery/recycling of used product)
G25	Hazardous waste management - indicate management method (for residuals from regulated hazardous waste treatment processes - enter the related H code)
G26	Leachate collection (from landfill operations or other land units)
G27	Hazardous residual from treatment or recovery of universal waste

Attachment D Page 1

	Spills and Accidental Releases	
G31	Accidental contamination of products, materials, or containers (other than G11)	
G32	Cleanup of spill residues (infrequent, not routine)	
G33	Leak collection and floor sweeping (ongoing, routine)	
G3'9	Other cleanup of current contamination (specify in comments)	
	Remediation of Past Contamination	
G41	Closure of hazardous waste management unit under RCRA	
G42	Corrective action at a solid waste management unit under RCRA	
G43	Remedial action or emergency response under Superfund	
G44	State program or voluntary cleanup	
G45	Underground storage tank cleanup	
G49	Other remediation (specify in comments)	

Attachment D Page 2

# Attachment E

# FORM CODES

Form codes describe the general physical and chemical characteristics of a hazardous waste.

Code	Form Code Group
	Mixed Media/Debris/Devices - Waste that is a mixture of organic and inorganic wastes, liquid and
	solid wastes, or devices that are not easily categorizable
W001	Lab packs from any source not containing acute hazardous waste
W002	Contaminated debris (see definition at 40 CFR 268.2(g) and requirements at 40 CFR
	268.45): for example, certain paper, clothing, rags, wood, empty fiber or plastic containers, glass, piping, other solids (usually from construction, demolition, cleaning, or remediation)
W004	Lab packs from any source containing acute hazardous waste
	Contaminated soil (usually from spill clean up, demolition, or remediation); see also W512
W301	Batteries, battery parts, cores, casings (lead-acid or other types)
W309	Filters, solid adsorbents, ion exchange resins and spent carbon (usually from production,
W310	intermittent processes, or remediation)
W320	Electrical devices (lamps, fluorescent lamps, or thermostats usually containing mercury; CRTs containing lead; etc)
W512	Sediment or lagoon dragout, drilling or other muds (wet or muddy soils); see also W301
W801	Compressed gases of any type
	Inorganic Liquids - Waste that is primarily inorganic and highly fluid (e.g., aqueous), with low
	suspended inorganic solids and low organic content
W101	Very dilute aqueous waste containing more than 99% water (land disposal restriction defined wastewater that is not exempt under NPDES or POTW discharge)
W103	Spent concentrated acid (5% or more)
W105	Acidic aqueous wastes less than 5% acid (diluted but pH <2)
W107	Aqueous waste containing cyanides (generally caustic)
W110	Caustic aqueous waste without cyanides (pH >12.5)
W113	Other aqueous waste or wastewaters (fluid but not sludge)
W117	Waste liquid mercury (metallic)
W119	Other inorganic liquid (specify in comments)
	Organic Liquids - Waste that is primarily organic and is highly fluid, with low inorganic solids content and low-to-moderate water content
W200	Still bottoms in liquid form (fluid but not sludge)
W202	Concentrated halogenated (e.g., chlorinated) solvent
W203	Concentrated non-halogenated (e.g., non-chlorinated) solvent
W204	Concentrated halogenated/ non-halogenated solvent mixture
W205	Oil-water emulsion or mixture (fluid but not sludge)
W206	Waste oil
W209	Paint, ink, lacquer, or varnish (fluid - not dried out or sludge)
W210	Reactive or polymerizable organic liquids and adhesives (fluid but not sludge)
W211	Paint thinner or petroleum distillates
W219	Other organic liquid (specify in comments)
	Inorganic Solids - Waste that is primarily inorganic and solid, with low organic content and low-
	moderate water content; not pumpable
W303	Ash (from any type of burning of hazardous waste)
W304	Slags, drosses, and other solid thermal residues

Code	Form Code Group
W307	Metal scale, filings and scrap (including metal drums)
W312	Cyanide or metal cyanide bearing solids, salts or chemicals
W316	Metal salts or chemicals not containing cyanides
W319	Other inorganic solids (specify in comments)
	<b>Organic Solids</b> - Waste that is primarily organic and solid, with low-to-moderate inorganic content and water content; not pumpable
W401	Pesticide solids (used or discarded - not contaminated soils - W301)
W403	Solid resins, plastics or polymerized organics
W405	Explosives or reactive organic solids
W409	Other organic solids (specify in comments)
	Inorganic Sludges - Waste that is primarily inorganic, with moderate-to-high water content and low organic content; mostly pumpable
W501	Lime and/or metal hydroxide sludges and solids with no cyanides (not contaminated muds - W51)
W503	Gypsum sludges from wastewater treatment or air pollution control
W504	Other sludges from wastewater treatment or air pollution control
W505	Metal bearing sludges (including plating sludge) not containing cyanides
W506	Cyanide-bearing sludges (not contaminated soils - W512)
W519	Other inorganic sludges (not contaminated muds - W512; specify in comments)
	Organic Sludges - Waste that is primarily organic with low-to-moderate inorganic solids content and water content; pumpable
W603	Oily sludge (not contaminated muds - W512)
W604	Paint or ink sludges, still bottoms in sludge form (not contaminated muds - W512)
W606	Resins, tars, polymer or tarry sludge (not contaminated muds - W512)
W609	Other organic sludge (specify in comments)

Attachment E Page 2

# Attachment F

**MANAGEMENT METHOD CODES** Management Method codes describe the type of hazardous waste management system used to treat or dispose a hazardous waste.

Code	Management Method Code Group
	Reclamation and Recovery
H010	Metals recovery including retorting, smelting, chemical, etc.
H020	Solvents recovery (distillation, extraction, etc)
H039	Other recovery or reclamation for reuse including acid regeneration, organics recovery, etc. (specify in comments)
H050	Energy recovery at this site - used as fuel (includes on-site fuel blending before energy recovery; report only this code)
H061	Fuel blending prior to energy recovery at another site (waste generated either on site or received from off site)
	Destruction or Treatment Prior to Disposal at Another Site
H040	Incineration - thermal destruction other than use as a fuel (includes any preparation prior to burning)
H071	Chemical reduction with or without precipitation (includes any preparation or final processes for consolidation of residuals)
H073	Cyanide destruction with or without precipitation (includes any preparation or final processes for consolidation of residuals)
H075	Chemical oxidation (includes any preparation or final processes for consolidation of residuals)
H076	Wet air oxidation (includes any preparation or final processes for consolidation of residuals)
H077	Other chemical precipitation with or without pre-treatment (includes processes for consolidation of residuals)
H081	Biological treatment with or without precipitation (includes any preparation or final processes for consolidation of residuals)
H082	Adsorption (as the major component of treatment)
H083	Air or steam stripping (as the major component of treatment)
H101	Sludge treatment and/or dewatering (as the major component of treatment; not H071-H075, H077 or H082)
H103	Absorption (as the major component of treatment)
H111	Stabilization or chemical fixation prior to disposal at another site (as the major component of treatment; not H071-H075, H077, or H082)
H112	Macro-encapsulation prior to disposal at another site (as the major component of treatment; not reportable as H071-H075, H077, or H082)
H121	Neutralization only (no other treatment)
H122	Evaporation (as the major component of treatment; not reportable as H071-H083)
H123	Settling or clarification (as the major component of treatment; not reportable as H071-H083)
H124	Phase separation (as the major component of treatment; not reportable as H071-H083)
H129	Other treatment (specify in comments; not reportable as H071-H124)
	Disposal
H131	Land treatment or application (to include on-site treatment and/or stabilization)
H132	Landfill or surface impoundment that will be closed as landfill (to include onsite treatment and/or stabilization)
H134	Deepwell or underground injection (with or without treatment; this waste was counted as hazardous waste)
H135	Discharge to sewer/POTW or NPDES (with prior storage - with or without treatment)
	Transfer Off Site
H141	The site receiving this waste stored/bulked and transferred the waste with no treatment or recovery (H010-H129), fuel blending (H061), or disposal (H131-H135) at that receiving site.