



Wade M. Wheatley, P.E.
Managing Director

GDS Associates, Inc.
Engineers and Consultants

Ph: 512-494-0369
Fax: 866-611-3791
wade.wheatley@gdsassociates.com

August 06, 2021

Mr. Alan Wong
Waste Permits Division
Municipal Solid Waste Permits Section (MC-124)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Registration Transfer of Ownership and Update – NOD Response
Municipal Solid Waste Processing Registration No. 40263
Potter County, Texas
CN605717867 / RN106454895

Dear Mr. Wong:

On behalf of our clients, Oncore Healthcare Solutions, LLC, Oncore Technology, LLC, and BioCycle, Inc., GDS Associates, Inc. (GDS) is submitting a response to the Notice of Deficiency, dated July 30, 2021 (NOD). The email containing the NOD is enclosed with this letter for reference and responses to the NOD items are presented below.

1. Provide Evidence of Competency pursuant to 330.59(f). Please include all facilities that are owned by Oncore Healthcare Solutions, LLC, including ones that they own through subsidiary companies.

Response: In accordance with 30 TAC §330.59(f), an “Evidence of Competency” document has been prepared for Oncore Healthcare Solutions, LLC and is included with this submittal.

2. Provide Core Data Form for BioCycle, Inc. (form TCEQ-20650, Section 11 shows BioCycle, Inc. as having ownership).

Response: Per the phone conversation between you and Jack Simmons with GDS Associates, Inc. on August 03, 2021, it was determined that a Core Data Form for BioCycle, Inc. is not required for this registration transfer of ownership request. As a result, no Core Data Form for BioCycle, Inc. has been prepared.

3. Revise language to add “facility” on Page 72, Section (h).

Response: Page 72, Section (h) of the original registration transfer of ownership request, submitted on July 21, 2021, has been revised to include the words “the facility.” The unmarked version of this revision is included with this submittal, as well as a marked version for your reference.

The following documents are included with this response:

- Correspondence Cover Sheet, TCEQ Form-20714
- Copy of the NOD email

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- Evidence of Competency for Oncore Healthcare Solutions, LLC
- Unmarked application page to address the typographical error specified in the NOD
- Updated Signature Page from TCEQ Form-20650
- Updated Core Date Form, no changes

One copy of this submittal will be mailed to Texas Commission on Environmental Quality (TCEQ) Region 1, to the attention of Mr. Eddy Vance, Waste Section Manager; one copy will be delivered to the TCEQ Mail Room for MC-124 in Austin, Texas; and one electronic copy will be emailed to you.

Should you have any questions or require additional information, please contact Jack Simmons or me at 512-494-0369.

Sincerely,



Wade M. Wheatley, P.E.

Enclosure



**CORRESPONDENCE COVER SHEET
WASTE PERMITS DIVISION
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

Date: 08/06/2021
 Facility Name: BIOCYCLE
 Permit or Registration No.: 40263

Nature of Correspondence:
 Initial/New
 Response/Revision*

*If Response/Revision, please provide previous TCEQ Tracking No.: 26269924
 (Previous TCEQ Tracking No. can be found in the Subject line of the TCEQ's response letter to your original submittal.)

This cover sheet should accompany all correspondences submitted to the Waste Permits Division and should be affixed to the front of your submittal as a cover page. Please check the appropriate box for the type of correspondence being submitted. For questions regarding this form, please contact the Waste Permits Division at (512) 239-2335.

Table 1 - Municipal Solid Waste

APPLICATIONS	REPORTS and RESPONSES
<input type="checkbox"/> New Notification	<input type="checkbox"/> Closure Report
<input type="checkbox"/> New Permit (including Subchapter T)	<input type="checkbox"/> Groundwater Alternate SRC Demonstration
<input type="checkbox"/> New Registration (including Subchapter T)	<input type="checkbox"/> Groundwater Corrective Action
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> Groundwater Statistical Evaluation
<input type="checkbox"/> Limited Scope Major Amendment	<input type="checkbox"/> Landfill Gas Corrective Action
<input type="checkbox"/> Notice Modification	<input type="checkbox"/> Landfill Gas Monitoring
<input type="checkbox"/> Non-Notice Modification	<input type="checkbox"/> Liner Evaluation Report
<input type="checkbox"/> Transfer/Name Change Modification	<input type="checkbox"/> Soil Boring Plan
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Special Waste Request
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Other:
<input type="checkbox"/> Subchapter T Workplan	
<input checked="" type="checkbox"/> Other: NOD Response	

Table 2 - Industrial & Hazardous Waste

APPLICATIONS	REPORTS and RESPONSES
<input type="checkbox"/> New	<input type="checkbox"/> Annual/Biennial Site Activity Report
<input type="checkbox"/> Renewal	<input type="checkbox"/> CfPT Plan/Result
<input type="checkbox"/> Post-Closure Order	<input type="checkbox"/> Closure Certification/Report
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Construction Certification/Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> Class 3 Modification	<input type="checkbox"/> Extension Request
<input type="checkbox"/> Class 2 Modification	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Class 1 ED Modification	<input type="checkbox"/> Interim Status Change
<input type="checkbox"/> Class 1 Modification	<input type="checkbox"/> Interim Status Closure Plan
<input type="checkbox"/> Endorsement	<input type="checkbox"/> Soil Core Monitoring Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Treatability Study
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Trial Burn Plan/Result
<input type="checkbox"/> 335.6 Notification	<input type="checkbox"/> Unsaturated Zone Monitoring Report
<input type="checkbox"/> Other:	<input type="checkbox"/> Waste Minimization Report
	<input type="checkbox"/> Other:

Jack Simmons

From: Alan Wong <Alan.Wong@Tceq.Texas.Gov>
Sent: Friday, July 30, 2021 4:51 PM
To: Jack Simmons
Cc: Wade Wheatley
Subject: MSW Registration No. 40263 – BioCycle, Inc. – NOD (TCEQ Tracking No. 26269924)

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL - Use caution before opening attachments or clicking links.

Mr. Simmons:

We have reviewed your application for a municipal solid waste (MSW) registration modification dated July 21, 2021, requesting a transfer of MSW Registration No. 40263 from Biocycle, Inc. to Oncore Healthcare Solutions, LLC and address update.

Our review indicates that insufficient information has been provided to demonstrate compliance with Title 30 Texas Administrative Code (30 TAC), Section (§)305.70. Therefore, we are unable to complete processing of your request at this time. Please review and address the following comments:

1. Provide Evidence of Competency pursuant to [330.59\(f\)](#). Please include all facilities that are owned by Oncore Healthcare Solutions, LLC, including ones that they own through subsidiary companies.
2. Provide Core Data Form for BioCycle, Inc. (form TCEQ-20650, Section 11 shows BioCycle, Inc. as having ownership).
3. Revise language to add “facility” on Page 72, Section (h).

Please revise your registration modification request and submit the revisions within 30 days from the date of this email or your request may be considered withdrawn. In accordance with 30 TAC §330.57, please ensure that each page has a header or footer that indicates the revision number and date. Your revised and/or additional pages should be in a form suitable for replacement and/or inclusion in the initial registration modification application. In accordance with 30 TAC §305.44, please include an original certification statement with the revision. Along with the original signature, the certification statement should indicate the name, title, and address of the responsible official.

To facilitate our review, please submit two unmarked copies of the revisions in conformance with 30 TAC §305.70(f). Please send one of the unmarked copies directly to the Texas Commission on Environmental Quality Region 1, to the attention of Mr. Eddy Vance, Waste Section Manager, 3918 Canyon Dr, Amarillo TX 79109-4933. In addition, please email an unmarked of the revisions to me. Please include the tracking number referenced above in the subject line of your response.

Failure to submit a satisfactory response to the item(s) listed above may result in a recommendation to deny this modification request.

Please contact me if you have any questions.

Thank you,
Alan Wong
Municipal Solid Waste Permits – MC 124

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-6724

How is our customer service? Fill out our online customer satisfaction survey at www.tceq.texas.gov/customersurvey.

ATTACHMENT K

EVIDENCE OF COMPETENCY

EVIDENCE OF COMPETENCY

Oncore Healthcare Solutions, LLC (owner/operator); doing business as (DBA) Oncore Technology, LLC; and DBA BioCycle, Inc. owns and operates authorized Type V medical waste processing facilities and medical waste transportation activities across the State of Texas. The owner/operator does not have a direct financial interest in any solid waste sites located outside of the State of Texas. Below is a list of all solid waste sites that the owner/operator has owned or operated in Texas in the last ten years.

Site Name	Site Type	TCEQ Authorization No.	County	Dates of Operation
ONCORE TECHNOLOGY	V	40241	Tarrant	6/2009 to 9/2019
ONCORE TECHNOLOGY	V	40303	Tarrant	9/2019 to Present
BIOCYCLE	V	40263	Potter	02/2013 to Present

In accordance with Title 30 of the Texas Administrative Code (30 TAC) §330.59(f)(3), each of the above listed sites that are active is operated by a licensed solid waste supervisor, as defined in 30 TAC Chapter 30.

In accordance with 30 TAC §330.59(f)(4), the names of the principals and supervisors of the owner's/operator's organization, along with their previous affiliations with organizations engaged in solid waste activities, are provided below.

Mr. Vernon Wells, CEO

Mr. Wells has over 21 years of experience in the medical waste Industry. He was a Principal in Healthcare Waste Solutions, LLC headquartered in Cincinnati, OH, and Waste Management Healthcare Solutions headquartered in Houston. In the course of running those companies Mr. Wells has had an opportunity to manage 15 Medical Waste Facilities. As CEO of both Oncore Technology, LLC and Oncore Healthcare Solutions, LLC, Mr. Wells has overseen the growth of the companies and has been integral in overseeing the operations of both companies.

Mr. R. Mason Bryant, Vice President

Mr. Bryant has over 35 years in the medical waste Industry, Mr. Bryant has directly permitted and managed 18 medical waste facilities in several states, with the last 15 years as a founder, owner, and manager of Oncore Technology, LLC and Oncore Healthcare Solutions, LLC. Mr. Bryant holds a Class B Operators License # SW0004852. He is experienced in all aspects of operating medical waste facilities and transportation operations.

The owner/operator may file with the chief clerk a motion to overturn the executive director's denial of a registration under §50.139 of this title (relating to Motion to Overturn Executive Director's Decision).

(h). Technology Accommodations

If at any time during the life of the facility, the owner or operator becomes aware of any condition in the registration that necessitates a change to accommodate new technology or improved methods or that make it impractical to keep the facility in compliance, the owner or operator shall submit to the executive director requested changes to the registration in accordance with §305.70 of this title and must be approved prior to their implementation.

(i). Texas Licensed Professional Engineer Certification

The owner/operator shall obtain and submit certification by a Texas-licensed professional engineer that the facility has been constructed as designed in accordance with the issued registration and in general compliance with the regulations prior to initial operation. The owner/operator shall maintain that certification on-site for inspection.

(j). Pre-opening Inspection

After all initial construction activity has been completed and prior to accepting any solid waste, the owner/operator shall contact the executive director and region office in writing and request a pre-opening inspection. A pre-opening inspection shall be conducted by the executive director within 14 days of notification by the owner or operator that all construction activities have been completed, accompanied by representatives of the owner/operator and the engineer.

(k). Executive Director Approval

The facility shall not accept solid waste until the executive director has confirmed in writing that all applicable submissions required by the registration and this chapter have been received and found to be acceptable, and that construction is in compliance with the registration. If the executive director has not provided a written or verbal response within 14 days of the completion of the pre-opening inspection the facility shall be considered approved for acceptance of waste.

Signature Page

I, Wade M. Wheatley, Delegated Signatory Authority,
(Site Operator (Permittee/Registrant)'s Authorized Signatory) (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.

Signature: *Wade M. Wheatley* Date: 8-6-2021

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Printed or Typed Name of Operator or Principal Executive Officer

Signature

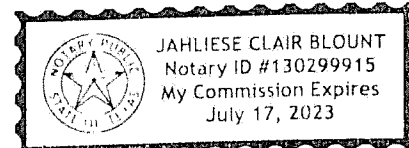
SUBSCRIBED AND SWORN to before me by the said _____

On this 6th day of August, 2021

My commission expires on the 17th day of July, 2023

Jahlie Clair Blount
Notary Public in and for

Travis County, Texas
(Note: Application Must Bear Signature & Seal of Notary Public)



23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>	8751 E. Amarillo Blvd.							
	City	Amarillo	State	TX	ZIP	79108	ZIP + 4	6417
24. County	Potter							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:								
26. Nearest City					State	Nearest ZIP Code		
Amarillo					TX	79108		
27. Latitude (N) In Decimal:	35.226203			28. Longitude (W) In Decimal:	101.737057			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
35	13	34.3	101	44	13.4			
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)			
4953			56221					
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>								
Waste processing, storage, disposal, and transportation.								
34. Mailing Address:	2613 Skyway Dr.							
	City	Grand Prairie	State	TX	ZIP	75052	ZIP + 4	7610
35. E-Mail Address:	mason@oncoreus.com							
36. Telephone Number	37. Extension or Code			38. Fax Number (if applicable)				
(972) 786-7060				(214) 988-1808				

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
40263				
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Jack Simmons	41. Title:	Geoscientist
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(512) 541-3131		() -	jack.simmons@gdsassociates.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	GDS Associates, Inc.	Job Title:	Managing Director/ Delegated Signatory Authority
Name (In Print):	Wade M. Wheatley	Phone:	(512) 494- 0369

Signature:		Date:	8-6-2021
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