

Any additional documentation in response to the letters will be forwarded to the TCEQ during its review of this Application or placed in the Operating Record.

2.13 EASEMENTS AND BUFFER ZONES 330.543

There are no easements on the site. Except for the north side, the owner or operator shall maintain a minimum separating distance (or buffer zone) of 50-feet between feedstock or final product storage areas; solid waste storage, processing units within and adjacent to the facility boundary on property owned or controlled by the owner or operator. Along the north boundary of the site there will be a 36 foot buffer zone. This 36 foot alternative buffer is required because the processing will occur in a building which currently exists at the site. North of the building is the waste storage area which contains frac tanks and is surrounded by an earthen spill containment berm. The waste storage tanks are positioned more than 50 feet from the north permit boundary, but the outside toe of the berm will be 36 feet from the boundary, providing 36 feet of access width at the site perimeter. This distance is designated as the north buffer zone and is adequate for firefighting or emergency access to the waste management areas at the facility.

2.14 NON APPLICABLE REGULATORY SECTIONS

- §330.61(b)(1)(B and C), waste acceptance requirements applicable only for transfer stations and landfills;
- §330.61(d)(3), applicable only for facilities with monitor wells, which is not this facility;
- §330.61(d)(7), for screening. The processing and waste is not visible from a public road;
- §330.61(d)(9), applicable only for landfill units;
- §330.61(i)(5), applicable only for landfill units;
- §330.61(j)(2), (3), and (4), applicable only for landfill units;
- §330.61(n)(2), applicable only for landfill units;
- §330.543(b)(2) and (3), applicable only for landfills and alternative buffer zone requirements;
- §330.545, airport requirements applicable only at landfills;

- §330.549, applicable only for facilities located over recharge zone of the Edwards Aquifer, which this facility is not;
- §330.553(b), is not applicable, because the facility is not located in wetlands;
- §330.555(a), applicable only for landfills and waste disposal in fault areas;
- §330.557, applicable only for landfills in seismic impact zones;
- §330.559, applicable only for landfills in unstable areas;
- §330.561, applicable only for landfills in coastal areas; and
- §330.563, applicable only for Type I and Type IV Permit issuance to landfills.