

## XII. Hazardous Waste Permit Application Fee

In accordance with 30 TAC 305.53, complete Tables XII.A. - Hazardous Waste Units (For Application Fee Calculations) and XII.B. - Hazardous Waste Permit Application Fee Worksheet. Use the following information in calculating your fee. The application fee will be non-refundable once an initial review of the application has been completed. The applicant's fees are subject to evaluation by the technical staff of the Texas Commission on Environmental Quality (TCEQ). However, the TCEQ reserves the right to assess further fees as may be necessary.

- A. The minimum permit application fee for a permit or a permit renewal for each hazardous waste facility to be used for Storage, Processing, Disposal, or Closure/Post-Closure Care (disposal has already occurred) of hazardous waste shall be \$2,000, plus notice fee, and the maximum shall be \$50,000, calculated according to these instructions:
1. Process Analysis - \$1,000.00.
  2. Management/Facility Analysis - \$500.00.
  3. A facility unit(s) analysis of \$500 per unit is charged for the following:
    - a. each cell of a landfill (note that multiple cells that are identical in type and use are subject to a single \$500 fee);
    - b. tanks and container storage areas (note that multiple tanks and container storage areas that are identical in type and use are subject to a single \$500 fee)
    - c. identical in type and use means the following:
      - (1) made of the same material and same design;
      - (2) the same size/capacity within + 10%;
      - (3) store the same waste (as identified by USEPA hazardous waste number - 40 CFR 261 Subparts C & D); and
      - (4) have the same management characteristics (e.g., storage only).
    - d. Each incinerator, boiler/industrial furnace unit, surface impoundment, waste pile, land treatment unit, drip pad, miscellaneous unit, or containment building.
  4. Site Evaluation - \$100 per acre of surface used for hazardous waste management up to 300 acres. No additional fee thereafter. This shall be calculated as any acreage which will be permitted to manage hazardous waste. This shall include, for example, the entire area within the secondary containment of a tank farm, the area within a fence that surrounds individual units (other than the facility fence), or the area defined by the toe of the dike surrounding a landfill or impoundment, etc.
  5. An applicant shall also include with each initial application a fee of \$50 to be applied toward the cost of providing the required notice. An additional notice fee of \$15 is required with each application for renewal.
- B. The application fee for a major amendment or a Class 2 or 3 modification to a hazardous waste permit for operation, closure, or post-closure care is subject to the fees listed below:

1. A management/facility analysis fee of \$500.
  2. The notice fee is \$50.
  3. If a unit is added or a unit area is expanded for any purpose, \$100 per additional acre is assessed, until the total additional acreage reaches 300 acres.
  4. If one or more of the following reports are added or are significantly revised, the process analysis fee of \$1000 is assessed:
    - a. waste analysis plan;
    - b. site-specific or regional geology report;
    - c. site-specific or regional geohydrology report;
    - d. groundwater and/or unsaturated zone monitoring;
    - e. closure and/or post-closure care plan; or
    - f. RCRA Facility Assessments (RFAs), or corrective action reports;
    - g. Alternate Concentration Limit (ACL) demonstration or Development of Protective Concentration Limits (PCLs);
    - h. Regulated Unit Facility Assessment, Corrective Action (CA) work plans or reports for Regulated Units; and/or
    - i. RCRA Facility Investigation (RFI)/Affected Property Assessment (APA), Remedy Selection, Corrective Measure Implementation (CMI)/Remedial Action Plan for solid waste management units, and/or areas of concern;
    - j. Facility Operations Area (FOA).
  5. A unit analysis fee of \$500 per unit is assessed if any of the following occur:
    - a. if a unit is added (even if identical to units already in place, using the criteria discussed in A.3 above);
    - b. if there are design changes in an existing unit; or
    - c. if a unit status changes from closure to post-closure care;
    - d. Changes in the number, location, depth, or design of wells approved in compliance plan or a permit (unless it is a replacement well);
    - e. Changes in point of compliance and compliance monitoring program;
    - f. Changes in Groundwater Protection Standards, indicator parameters, Alternate Concentration Limits or Protective Concentration Limits; and/or
    - g. Changes in corrective action program.
- C. The application fee for a minor amendment, a Class 1, or a Class 1<sup>1</sup> modification of a hazardous waste permit is \$100 plus the notice fee of \$50.

**Table XII.A. – Hazardous Waste Units (For Application Fee Calculations)**

Verbal Description of Unit	Rated Capacity	Surface Acreage <sup>1</sup>	# of Unit Types <sup>2</sup>	Identical Unit Justification <sup>3</sup>
North Landfarm Plots (A, B, C, D, E, F, G)	Closed Post-Closure Care	15 acres	1	Each of the NLF Plots is similar in size and identical in use
South Landfarm	Closed Post-Closure Care	20 acres	1	NA
Retention Basin 1 (RB 1)	145 million gallons	32 acres	1	NA
Wastewater Oxidation Unit (WOU)	24 million gallons	6.98 acres	1	NA
Lower Outfall Canal (UOC)	4.5 million gallons	2.89 acres	1	NA
Upper Outfall Canal (UOC)	1.5 million gallons	2.3 acres	1	NA
		Total <sup>4</sup> = 79.17 acres	Total <sup>4</sup> = 6	

1 Number of calculated acres.

2 Enter number of units except for units identical in type and use which only count toward a single \$500.00 fee.

3 Explain justification for any units claimed as identical in type and use.

4 Enter these totals on the worksheet.

**Table XII.B. - Hazardous Waste Permit Application Fee Worksheet**

Name of Facility: ExxonMobil Baytown Refinery

Solid Waste Registration Number: 30040

- 1. Process Analysis - \$1,000..... \$ 1,000
- 2. Facility Management Analysis - \$500..... \$ 500
- 3. Unit Analysis - 6 units @ \$500 per unit..... \$ 3,000
- 4. Site Evaluation - 80 acres @ \$100 per acre..... \$ 8,000  
(Maximum of 300 acres)
- 5. Minor amendment, Class 1, or Class 1<sup>1</sup> modification - \$100..... \$ NA
- 6. Cost of Providing Notice - \$50 (+ \$15 for a renewal)..... \$ 65

**Pay This Amount**  **Total** \$ 12,565

Make Checks Payable To:

Texas Commission on Environmental Quality - Fund 549  
(*your canceled check will be your receipt*)

Complete And Return With Payment To:

Texas Commission on Environmental Quality  
Financial Administration Division - MC 214  
P.O. BOX 13088  
Austin, Texas 78711-3088

The applicant's fees are subject to evaluation by the technical staff of the Texas Commission on Environmental Quality (TCEQ). However, the TCEQ reserves the right to assess further fees as may be necessitated.

Please do not submit a photocopy of the check (or equivalent transaction submittal) with your application packet but provide only the following account information:

Check No.	Date of Check	Check Amount
308009	August 18, 2021	\$12,565

### XIII. Confidential Material

Any information requested in the previous Sections I. through XI. of this application which is deemed confidential shall be provided in this Section as a separate collective document and clearly labeled **CONFIDENTIAL**.

**RESERVED**