



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

July 3, 1996

CERTIFIED MAIL P 104 195 860 RETURN RECEIPT REQUESTED

REPLY TO : 6WQ-SG

Mr. Carl Rush
President
Disposal Systems, Inc.
P.O. Box 1914
Deer Park, TX 77536

Dear Mr. Rush:

Effective the date of this letter, the Environmental Protection Agency (EPA) approves the request for modification to the Disposal Systems, Inc. (DSI) exemption to the land disposal restrictions for injection wells at the Deer Park, Texas, facility.

The land disposal restrictions prohibit the injection of hazardous waste unless a petitioner can demonstrate to the EPA, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the wastes remain hazardous. The land disposal restrictions for injection wells, codified in 40 CFR §148, provide the standards and procedures by which petitions to dispose of an otherwise prohibited waste by injection are reviewed and by which exemptions pursuant to these petitions are granted or denied.

A letter dated May 6, 1996, informed DSI that the EPA was proposing to approve the request for modification. The public comment period associated with this proposed decision began on May 8, 1996, and closed on June 24, 1996.

Based on a detailed technical review of the submitted request for modification to the exemption and support documents, the EPA has determined that this information for the DSI, Deer Park, Texas, facility meets the requirements of 40 CFR §148 by demonstrating no migration of hazardous constituents from the injection zone for 10,000 years. No comments were received during the public comment period in this decision.



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The following are conditions of this land disposal restriction exemption:

Petition Approval Conditions

The approval to allow injection of restricted hazardous wastes is subject to the following conditions. Noncompliance with any of these conditions is grounds for termination of the exemption in accordance with 40 CFR §148.24(a)(1).

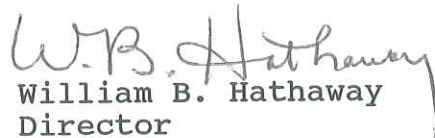
1. Injection of restricted waste shall be limited to the injection interval ranging in depth from 5530 feet to 7368 feet within an injection zone ranging in depth from 5030 feet to 7368 feet for the WDW-169, and an injection interval ranging in depth from 5542 feet to 7380 feet within an injection zone ranging in depth from 5042 feet to 7380 feet for the WDW-249.
2. The combined monthly injected volume for WDW-169 and WDW-249 into the injection interval below 6784 feet shall not exceed that calculated by multiplying 500 gallons/minute X 1440 minutes/day X the number of days in that month. If either well is completed above 6784, then the monthly injected volume for that well shall not exceed that calculated by multiplying 300 gallons/minute X 1440 minutes/day X the number of days in that month, and injection shall be limited to no more than 1 year.
3. The facility shall cease injection by November 1, 2007.
4. The characteristics of the injected waste stream shall at all times conform to those of Section 2.5 and 2.8 in the petition; Section 3.3 and Table 3.4.3-I of the petition reissuance document; and Sections 3.0 to 6.0 and Table 4.1 of the 1996 petition modification request. The specific gravity of the injected waste shall remain within a range of 0.90 - 1.25 g/cc inclusive measured at 68°F (surface conditions).
5. The approval for injection is limited to those wastes designated by the waste codes listed in Attachment 1.
6. DSI must petition for approval to inject additional hazardous wastes which are not included in Condition No. 5, above. DSI must also petition for approval to increase the concentration of any waste which would necessitate the recalculation of the limiting concentration reduction factor and the extent of the waste plume. Petition modifications and reissuance should be made pursuant to 40 CFR §148.20 (e) or (f).

7. DSI shall annually submit to EPA the results of an annual report containing the results of two falloff tests, one each for WDW-169 and WDW-249. These tests shall have been performed after shutting in each well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR §146.68(e)(1). This annual report shall include a comparison of reservoir parameters determined from the falloff tests with parameters used in the approved no migration petition reissuance. In addition, all nearby offsite injection must be accounted for through superposition of its effects in time and space.
8. Upon the expiration, cancellation, reissuance, or modification of the Texas Natural Resources Conservation Commission's Underground Injection Control permit for Well Nos. WDW-169 or WDW-249, this exemption is subject to review. A new demonstration may be required if information shows that the basis of granting the exemption is no longer valid.

In addition to the above conditions, this exemption approval is contingent upon the validity of the information submitted in the DSI petition for an exemption to the land disposal restrictions. This approval is subject to termination where new information shows that the basis for approval of the petition is no longer valid, which is in accordance with 40 CFR §148.24(a)(3).

If you have any questions or comments, please call Ken Williams at (214) 665-7165.

Sincerely yours,


William B. Hathaway
Director

Water Quality Protection Division

cc: Ben Knape, TNRCC
Francoise Brasier, EPA OGWDW

ATTACHMENT 1

The approval for injection is limited to the following hazardous wastes:

D001	D002	D003	D004	D005	D006	D007
D008	D009	D010	D011	D012	D013	D014
D015	D016	D017	D018	D019	D020	D021
D022	D023	D024	D025	D026	D027	D028
D029	D030	D031	D032	D033	D034	D035
D036	D037	D038	D039	D040	D041	D042
D043	F001	F002	F003	F004	F005	F006
F007	F008	F009	F010	F011	F012	F019
F020	F021	F022	F023	F024	F025	F026
F027	F028	F032	F034	F035	F037	F038
F039	K001	K002	K003	K004	K005	K006
K007	K008	K009	K010	K011	K013	K014
K015	K016	K017	K018	K019	K020	K021
K022	K023	K024	K025	K026	K027	K028
K029	K030	K031	K032	K033	K034	K035
K036	K037	K038	K039	K040	K041	K042
K043	K044	K045	K046	K047	K048	K049
K050	K051	K052	K060	K061	K062	K064
K065	K066	K069	K071	K073	K083	K084
K085	K086	K087	K088	K090	K091	K093
K094	K095	K096	K097	K098	K099	K100
K101	K102	K103	K104	K105	K106	K107
K108	K109	K110	K111	K112	K113	K114
K115	K116	K117	K118	K123	K124	K125
K126	K131	K132	K136	K140	K141	K142
K143	K144	K145	K147	K148	K149	K150
K151	K156	K157	K158	K159	K160	K161
P001	P002	P003	P004	P005	P006	P007
P008	P009	P010	P011	P012	P013	P014
P015	P016	P017	P018	P020	P021	P022
P023	P024	P026	P027	P028	P029	P030
P031	P033	P034	P036	P037	P038	P039
P040	P041	P042	P043	P044	P045	P046
P047	P048	P049	P050	P051	P054	P056
P057	P058	P059	P060	P062	P063	P064
P065	P066	P067	P068	P069	P070	P071
P072	P073	P074	P075	P076	P077	P078
P081	P082	P084	P085	P087	P088	P089
P092	P093	P094	P095	P096	P097	P098
P099	P101	P102	P103	P104	P105	P106
P108	P109	P110	P111	P112	P113	P114
P115	P116	P118	P119	P120	P121	P122
P123	P127	P128	P185	P187	P188	P189
P190	P191	P192	P193	P194	P195	P196
P197	P198	P199	P200	P201	P202	P203
P204	P205	U001	U002	U003	U004	U005
U006	U007	U008	U009	U010	U011	U012

ATTACHMENT 1 (continued)

U014	U015	U016	U017	U018	U019	U020
U021	U022	U023	U024	U025	U026	U027
U028	U029	U030	U031	U032	U033	U034
U035	U036	U037	U038	U039	U041	U042
U043	U044	U045	U046	U047	U048	U049
U050	U051	U052	U053	U055	U056	U057
U058	U059	U060	U061	U062	U063	U064
U066	U067	U068	U069	U070	U071	U072
U073	U074	U075	U076	U077	U078	U079
U080	U081	U082	U083	U084	U085	U086
U087	U088	U089	U090	U091	U092	U093
U094	U095	U096	U097	U098	U099	U101
U102	U103	U105	U106	U107	U108	U109
U110	U111	U112	U113	U114	U115	U116
U117	U118	U119	U120	U121	U122	U123
U124	U125	U126	U127	U128	U129	U130
U131	U132	U133	U134	U135	U136	U137
U138	U140	U141	U142	U143	U144	U145
U146	U147	U148	U149	U150	U151	U152
U153	U154	U155	U156	U157	U158	U159
U160	U161	U162	U163	U164	U165	U166
U167	U168	U169	U170	U171	U172	U173
U174	U176	U177	U178	U179	U180	U181
U182	U183	U184	U185	U186	U187	U188
U189	U190	U191	U192	U193	U194	U196
U197	U200	U201	U202	U203	U204	U205
U206	U207	U208	U209	U210	U211	U213
U214	U215	U216	U217	U218	U219	U220
U221	U222	U223	U225	U226	U227	U228
U234	U235	U236	U237	U238	U239	U240
U243	U244	U246	U247	U248	U249	U271
U277	U278	U279	U280	U328	U353	U359
U360	U361	U362	U363	U364	U365	U366
U367	U368	U369	U370	U371	U372	U373
U375	U376	U377	U378	U379	U380	U381
U382	U383	U384	U385	U386	U387	U388
U389	U390	U391	U392	U393	U394	U395
U396	U397	U398	U399	U400	U401	U402
U403	U404	U405	U406	U407	U408	U409
U410	U411					