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**Sent:** Thursday, June 23, 2022 12:15 PM

**To:** [billy.king.mete@gmail.com](mailto:billy.king.mete@gmail.com)

**Cc:** Lance Jones <[LJones@friscotexas.gov](mailto:LJones@friscotexas.gov)>; [bradweaver3718@gmail.com](mailto:bradweaver3718@gmail.com); Eduardo G. Salazar <[ESalazar@friscotexas.gov](mailto:ESalazar@friscotexas.gov)>; Mack Borchardt <[MBorchardt@friscotexas.gov](mailto:MBorchardt@friscotexas.gov)>

**Subject:** FCDS (Former Frisco Exide Battery Recycling) Exit Interview Form

**CAUTION:** External Email.

Billy,

The Exit Interview Form: Potential Violations and/or Records Request is being provided as an attachment to this email to ensure that the issues were communicated clearly during the on-site investigation on June 22, 2022. If there are questions about the information contained in the form, or if a meeting with the TCEQ regional office is requested to discuss the contents of the Exit Interview Form, contact me as soon as possible. Please reply to this email to indicate your receipt.

Below is a more detailed summary of the findings and corrective actions.

No. 1 – As an Additional Issue, the regulated entity is requested to inactivate waste streams that will no longer be generated.

No. 2 – Failure to update the Notice of Registration (NOR) to reflect current waste generation and waste management.

- Add a waste management unit for plant trash
- Add a waste management unit for the additional French drain accumulation tank (former 8,000 gallon caustic tank)
- Change the Unit Regulator Status for No. 014 from 13 to 03, remove System Type Cd of 110 (stabilization), update the waste streams managed in the unit. It cannot be a catch all.
- Change the System Type Cd for No. 16 from 010 (metals recovery) to 141 (storage)
- Change the System Type Cd for No. 21 from 132 (landfill) to 141
- Update the status of Unit No. 017 to inactive as the unit no longer exists
- Corrective Action – Make the appropriate changes in STEERS and/or submit a written request to update the NOR to the TCEQ Registration and Reporting Section with the appropriate changes. Provide a screen shot of the change and the accompanying confirmation email from STEERS and/or provide a copy of the request submitted to Registration and Reporting. If sufficient compliance documentation is received by July 7, 2022, the alleged violation may be eligible to be resolved as an Area of Concern.

No. 3 – Failure to indicate the hazards of the wastes on containers and tanks.

- Mark the hazardous waste tank indicating all applicable hazards for the leachate
- Mark all hazardous waste containers indicating all applicable hazards for waste in each container
- Corrective Action – Provide photographic documentation demonstrating the six drums and the hazardous waste tank are marked indicating all applicable hazards. I have not found definitive guidance stating the EPA hazard codes would suffice, so I would use a method directly stated in the rule, such as the words “ignitable, toxic, corrosive, reactive” or HazCom pictogram, or NFPA label.

- If sufficient compliance documentation is received by July 7, 2022, the alleged violation may be eligible to be resolved as an Area of Concern.
- No. 4 – Failure to ensure training is given to all applicable personnel on an annual basis.
- The employees who fill in for Eduardo will need to receive the same training. It appeared Kris and Steve had not been trained on the contingency plan or had OSHA.
  - Corrective Action – Provide documentation demonstrating training has been provided to all applicable personnel and provide a response indicating how the facility will ensure to mitigate future instances of lapses in training.
- No. 5 – Failure to maintain required personnel training records.
- The job description for the Compliance Official does not list the specific training required for the job position, such as leachate training, inspections training, contingency plan, DOT, OSHA etc. Also, the frequency of the training will need to be noted. If DOT is only required every 3 years that is fine, it just has to be noted.
  - Need to maintain job descriptions for positions that serve as fill-in for Compliance Official. These job description shall also indicate the specific training required and the frequency of the required training.
  - Corrective Action – Update the personnel training records and submit the updated job descriptions and training requirements for each position.
- No.6 – Please provide the discharge permit number that authorizes the discharge of the French drain water to the POTW by July 7, 2022.

Please feel free to contact me should you have any questions.

Thank you,



[Karen Juliusen](#)

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