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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 6, 2023

Mr. Mack Borchardt  
Special Assistant to the City Manager  
City of Frisco  
6101 Frisco Square Boulevard, 5<sup>th</sup> Floor  
Frisco, Texas 75034

Subject: Transmittal of Final Draft Permit Renewal  
Frisco Community Development Corporation - Frisco, Collin County  
Hazardous Waste Permit No. 50206  
Industrial Solid Waste Registration No. 30516  
EPA Identification No. TXD006451090  
Tracking No. 20980444; RN100218643/CN605857168

Dear Mr. Borchardt:

The Industrial and Hazardous Waste (I&HW) Permits Section of Texas Commission on Environmental Quality (TCEQ) developed the enclosed final draft permit renewal, and Technical Summary and Executive Director's Preliminary Decision in response to Exide Technologies' application dated May 29, 2019, and revised November 18, 2019; and Frisco Community Development Corporations' application dated May 11, 2023, and revised August 11, 2023. The Technical Summary and Executive Director's Preliminary Decision briefly summarizes the application request. Waste Permits Division staff transmitted the final draft permit renewal to the Chief Clerk's office for further processing.

Comment No. 1: Exide identified an erroneous reference.

TCEQ Response: The TCEQ corrected the reference.

Comment No. 2: Exide identified un-needed language.

TCEQ Response: The TCEQ removed the language.

Comment No. 3: Exide expressed concern that Table VI.B.3.b. label would not match Geology Report references.

TCEQ Response: The TCEQ revised the Table to match Geology Report references.

Comment No. 4: Exide identified wells with incorrect screened intervals in Table VI.B.3.b.

TCEQ Response: The TCEQ corrected the screened intervals in the Table.

Comment No. 5: Exide identified a typographical error in the notes for Table VI.B.3.b.

TCEQ Response: The TCEQ corrected the typographical error.

Comment No. 6: Exide identified a formatting error for Table VI.B.3.b.

TCEQ Response: The TCEQ corrected the formatting error.

Comment No. 7: Exide identified a formatting error for Table VI.B.3.b.

TCEQ Response: The TCEQ corrected the formatting error.

Comment No. 8: Exide expressed concern that Table VI.B.3.c. label would not match Geology Report references.

TCEQ Response: The TCEQ revised the Table to match Geology Report references.

Comment No. 9: Exide proposed new language for the last footnote of Table VI.B.3.c.

TCEQ Response: The TCEQ revised the footnote as requested.

Comment No. 10: Exide proposed a formatting change for Table VII.E.1.

TCEQ Response: The TCEQ made the proposed change.

Comment No. 11: Exide proposed a formatting change for Table VII.E.2.

TCEQ Response: The TCEQ made the proposed change.

Comment No. 12: Exide proposed changes to the groundwater protection standard (GWPS) for selenium in CP Table III - Corrective Action Program Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard:

TCEQ Response: The Remediation Division agrees that the GWPS for dissolved selenium in Column C should not be "N/A"; however, it should be listed as 0.02 mg/L (GW<sub>sw</sub>) rather than 0.05 mg/L (GW<sub>ing</sub>). The TCEQ revised the table but did not adopt this proposed change because this would cause the GWPS to be higher for dissolved selenium than total selenium.

Comment No. 13: In CP Table IIIA - Corrective Action Program Table of Indicator Parameters and the Groundwater Protection Standard: Exide proposed that the GWPS for dissolved selenium in the North CAMU should be listed as 0.05 mg/L (GW<sub>ing</sub>) rather than 0.02 mg/L (GW<sub>sw</sub>) in Column C.

TCEQ Response: The TCEQ did not adopt this proposed change because this would cause the GWPS to be higher for dissolved selenium than total selenium.

Comment No. 14: In CP Table V - Designation of Wells: Exide states that "\*\* proposed" should be removed after "Point of Compliance (POC) Wells, 2. RCA CAMU" because no POC wells are proposed.

TCEQ Response: CP Table V was revised as requested.

Comment No. 15: In CP Table VIII - Compliance Schedule: For Item F, Exide requested the Response Action Plan submittal date be revised to read "May 12, 2017 as revised November 21, 2019".

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TCEQ Response: CP Table VIII was revised as requested.

Comment No. 16: Exide identified an error in Attachment E.

TCEQ Response: The TCEQ revised Attachment E to correct the error.

Comment No. 17: Exide requested that Item 8 of Permit Attachment F be modified in order to accommodate the installation of shallow wells when necessary due to the shallow depth of groundwater nearing units and bedrock at some locations.

TCEQ Response: The TCEQ made the requested changes and corrected erroneous references.

Comment No. 18: In CP Attachment C - Well Design, Construction, Installation, Certification, Plugging and Abandonment Procedures and Specifications: Exide requested that Item 8 be modified in order to accommodate the installation of shallow wells when necessary due to the shallow depth of groundwater bearing units and bedrock at some locations.

TCEQ Response: For CP Attachment C, Exide references the changes to CP Table V, but it appears that the intended changes are the same changes made to Attachment F - Well Design and Construction Specifications. Additionally, the Remediation Division notes that the Water Well Driller's rules are found in 16 Texas Administrative Code (TAC) Chapter 76 rather than Chapter 77.

Additional Comment: In an email dated April 3, 2020, Exide provided revised versions of CP Attachment A, Sheets 3 and 4, to be incorporated into the final draft permit.

TCEQ Response: The TCEQ incorporated the revised CP Attachment A Sheets as requested.

Should you have any questions on the final draft permit renewal, please contact Mr. Chris Shaw of the I&HW Permits Section at [chris.shaw@tceq.texas.gov](mailto:chris.shaw@tceq.texas.gov) or (512) 239-2349. Questions regarding the final draft compliance plan should be directed to Mr. Jerry Wick of the Corrective Action Section at [jerry.wick@tceq.texas.gov](mailto:jerry.wick@tceq.texas.gov) or (512) 239-2991. If you respond in writing, please include mail code MC 130 for the I&HW Permits Section and MC 127 for the Corrective Action Section in the mailing address.

Sincerely,



Isaac Vela, Manager  
Industrial & Hazardous Waste Permits Section  
Waste Permits Division  
Texas Commission on Environmental Quality

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Enclosures