INTERIM GUIDANCE

FOR

STATEWIDE RULE 98

STANDARDS FOR MANAGEMENT
OF HAZARDOUS OIL AND GAS WASTE

RAILROAD COMMISSION
OF TEXAS

Published by
Oil and Gas Division
Richard A. Varela, Director
Visit the Railroad Commission Web Site on the Internet.

www.rrc.state.tx.us

Oil and Gas Statewide Rules, including Statewide Rule 98, are available on the RRC Web Site.

ACKNOWLEDGEMENTS

The Railroad Commission of Texas acknowledges the U.S. Department of Energy (DOE) for its support of this guidance document. The DOE provided the Commission with funds for the development and others through DOE Grant No. DE-FG22-95MT95017. Such support does not constitute endorsement by the DOE of the views expressed in this document.

Texas’ oil and gas companies and associations were instrumental in the development of this document. Numerous companies and associations reviewed drafts of this document and provided valuable suggestions and comments regarding its final content.

THE RAILROAD COMMISSION DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE, OR DISABILITY.

INFORMATION IS AVAILABLE UPON REQUEST BY CALLING (512) 463-7288 OR (TDD) 1-800-735-2989 IF SPECIAL ASSISTANCE IS REQUIRED.

Revised November 2004

ii
# Table of Contents

LIST OF TABLES ........................................................................................................... v

RAILROAD COMMISSION PERSONNEL ................................................................. vi

DISTRICT OFFICES AND DIRECTORS ................................................................. vii

DISTRICT MAP ......................................................................................................... viii

CHAPTER 1
Introduction ................................................................................................................ 1 - 1
  About This Guidance Document .............................................................................. 1 - 1
  The Purpose of Rule 98 .............................................................................................. 1 - 1
  Delegation of RCRA Authority .................................................................................. 1 - 2
  What This Guidance Document Provides ............................................................... 1 - 3
  Permits for Hazardous Waste Treatment, Storage, and Disposal ......................... 1 - 4
  Waste Minimization ............................................................................................... 1 - 5

CHAPTER 2
Hazardous Oil and Gas Waste Determination ............................................................. 2 - 1
  Rule 98 Requirement ............................................................................................... 2 - 1
  Oil and Gas Waste and the E&P Exemption .............................................................. 2 - 1
  Hazardous Oil and Gas Waste ................................................................................... 2 - 7
  Mixing Exempt and Nonexempt Wastes ................................................................. 2 - 13
  Derived From and Contained-In Rules .................................................................... 2 - 16
  Oil and Gas Wastes Excluded From Regulation or Subject to Reduced Regulation Under Rule 98 ................................................................. 2 - 16
  Additional Guidance Regarding Drums and Containers ...................................... 2 - 21

CHAPTER 3
Generator Classification and Accumulation Time ........................................................ 3 - 1
  Generation Site ........................................................................................................... 3 - 1
  Hazardous Oil and Gas Generator Classifications ................................................... 3 - 2
  Accumulation in Containers at the Point of Generation .......................................... 3 - 4
  30-Day Extension of Accumulation Time for LQGs and SQGs ................................. 3 - 5
  One-Time Shipments of Hazardous Oil and Gas Waste ....................................... 3 - 5
  Episodic Generation ............................................................................................... 3 - 6

CHAPTER 4
Notification and EPA ID Numbers .............................................................................. 4 - 1
  Who Must Notify? ..................................................................................................... 4 - 1
  How Do You Notify? ................................................................................................. 4 - 1
  One-Time Shipments .............................................................................................. 4 - 2
  EPA Identification Numbers .................................................................................... 4 - 2
  Subsequent Notifications ........................................................................................ 4 - 2
List of Appendices

Appendix A: Statewide Rule 98 (T.A.C. Title 16, Part I, Chapter 3, Section 3.98)


Appendix C: Listed and Characteristic Hazardous Wastes (40 CFR Part 261)

Appendix D: Instructions for Requesting a 30-day Extension to Store Waste

Appendix E: One-Time Shipment Request

Appendix F: EPA Form 8700-12 and RRC Form H-20 With Instructions

Appendix G: Listing of the Federal Regulations Rule 98 Adopts by Reference

Appendix H: Rule 98 Requirements Chart

Appendix I: TCEQ Hazardous Waste Manifest

Appendix J: 40 CFR Part 265, Appendix V; Examples of Potentially Incompatible Waste

Appendix K: Application Instructions and Requirements for Obtaining an Emergency Permit

Appendix L: Definitions of Terms Used in the Hazardous Waste Regulations in the Code of Federal Regulations.

List of Tables

Table 1 Oil and Gas Wastes Exempt From Rule 98 and RCRA Hazardous Waste Regulation

Table 2 RCRA and Rule 98 Nonexempt Oil and Gas Wastes

Table 3 Listed RCRA Hazardous Oil and Gas Wastes

Table 4 RCRA and Rule 98 Hazardous Waste Characteristics

Table 5 Waste Mixtures

Table 6 Oil and Gas Wastes That Are Not Counted In Determining Generation Site Classification
Railroad Commission of Texas
Austin, Texas

Elizabeth A. Jones
Chairman

Michael L. Williams
Commissioner

Victor G. Carrillo
Commissioner

Oil and Gas Division

Richard A. Varela  Director  512/463-6810
Tommie Seitz  Deputy Director  512/463-6810
John Tintera  Assistant Director, Environmental Services  512/463-7308
Doug Johnson  Permitting Manager, UIC and Storage  512/475-4439
Fernando DeLeon  Compliance Manager, UIC and Storage  512-463-6814
Charles Ross  Deputy Director, Field Operations  512/463-6830
Bill Miertschin  Assistant Director, Site Remediation  512/463-6765
Jill Hybner  Manager, Surface Waste Management  512/463-6797
Bart Sims  Manager, Hazardous Waste Program and Waste Minimization Program  512/463-5405
David Cooney  Environmental Law, Office of General Counsel  512/463-6977
## DISTRICT OFFICES AND DIRECTORS

| Districts 1 & 2 | Thomas R. Melville, District Director | (210) 227-1313 |
| San Antonio | Patrick Mendoza, Assistant District Director | FAX (210) 227-4822 |
| 78205-1689 | 115 East Travis St., Suite 1610 |
| **District 3** | Guy Grossman, District Director | (713) 869-5001 |
| Houston | Gil Bujano, Assistant District Director | FAX (713) 869-9621 |
| 77008-3135 | 1706 Seamist Drive, Suite 501 |
| **District 4** | Fermin Munoz, Jr., District Director | (361) 242-3113 |
| Corpus Christi | Arnold Ott, Assistant District Director | FAX (361) 242-9613 |
| 78460-0307 | 10320 IH 37, P. O. Box 10307 |
| **Districts 5 & 6** | Mike O’Quinn, District Director | (903) 984-3026 |
| Kilgore | Paul Whitehead, Assistant District Director | FAX (903) 983-3413 |
| 75662-5998 | 619 Henderson Blvd. |
| **District 7B** | Joe Cress, District Director | (325) 677-3545 |
| Abilene | Darlene Mercer, Assistant District Director | FAX (325) 677-7122 |
| 79603 | 3444 North First Street, Bank One, Suite 600 |
| **District 7C** | Don Horner, District Director | (325) 657-7450 |
| San Angelo | San Angelo State Service Center | FAX (325) 657-7455 |
| 76903 | 622 S. Oakes Street, Suite J |
| **District 8 & 8A** | Mark Henkhaus, District Director | (432) 684-5581 |
| Midland | Mike Houston, Assistant District Director | FAX (432) 684-6005 |
| 79705 | Conoco Towers, 10 Desta Drive, Suite 500E |
| **District 9** | Walter Q. Gwyn, District Director | (940) 723-2153 |
| Wichita Falls | Scott Henry, Assistant District Director | FAX (940) 723-5088 |
| 76301-6798 | First Texas Bldg, 901 Indiana Ave., Ste 600 |
| **District 10** | Lindsay Patterson, District Director | (806) 665-1653 |
| Pampa | City Hall Building, 201 W. Foster | FAX (806) 665-4217 |
| 79066-0941 | P. O. Box 941 |