

**NTMWD Response to LOTS  
Neighborhood Protection Agreement  
August 7, 2009**

- 1. NTMWD agrees to refrain from applying for an increase beyond the current waste acceptance rate at the LOTS facility.**

*NTMWD cannot agree. Given the facility is approaching the permitted 500 tons average per day waste acceptance rate, and to accommodate anticipated future growth in the areas of Richardson and Plano that currently utilize the Lookout Drive Transfer Station, an increase in the current waste rate is required. It is the responsibility of the North Texas Municipal Water District (NTMWD) to properly plan for, construct, and operate the facilities required to meet the required solid waste transfer and disposal needs of all NTMWD Regional Solid Waste System Member Cities, including the City of Richardson. At this time, the Lookout Drive Transfer Station is primarily used by the cities of Richardson and Plano. However, all NTMWD facilities, including the Lookout Drive Transfer Station were constructed for use by all the Members of NTMWD's Regional Solid Waste System. The NTMWD and its Member Cities project the transfer station to continue to be used primarily by the cities of Richardson and Plano, but need to remain available for use by all Member Cities.*

- 2. NTMWD agrees to refrain from exceeding its permitted maximum daily waste acceptance rate at any time.**

*NTMWD's goal is to operate the Lookout Drive Solid Waste Transfer Station, and all NTMWD facilities, within the requirements of their respective permits, at all times. The Lookout Drive Transfer Station has not exceeded the Texas Commission on Environmental Quality (TCEQ) permitted capacity.*

- 3. NTMWD and CoR establish a community liaison or a citizen advisory group-tentatively titled the Lookout Transfer Station Community Advisory Committee- to assist in effective oversight on a local level that includes impacted residents.**

*The City of Richardson and NTMWD will continue to work with neighboring HOAs during the development, construction, and operation of the Lookout Drive Transfer Station.*

- 4. NTMWD agrees to broaden the distance for public notice beyond TCEQ minimum requirements to include all homeowners within the Owens Park, Foxboro, Sherrill Park, and University Estates neighborhoods and additional public notice to the Transfer Station Community Advisory Committee for any permit changes.**

*NTMWD will provide public notice in accordance with TCEQ regulations. However, the City of Richardson, in coordination with the NTMWD, has committed to keeping the citizens of Richardson, through Richardson's HOA network, informed regarding the progress on the Lookout Drive Transfer Station project, including the submittal of the permit amendment application.*

- 5. NTMWD agrees to random audits or inspections of LOTS by CoR Public Works Department or the Transfer Station Community Advisory Committee at least once per calendar quarter, including access to all records and/or manifests.**

*The transfer station operations are regulated by and inspected by the TCEQ. NTMWD will continue to work with the City of Richardson, including the Public Services Department, to address issues and concerns of the City of Richardson regarding the operation of the Lookout Drive Transfer Station and the overall NTMWD Solid Waste System..*

- 6. NTMWD agrees to install best available odor technology at the proposed LOTS facility.**

*As appropriate, NTMWD will install odor management system(s) that meet all requirements of the TCEQ regulations and TCEQ-issued permit. The current facility is having an odor control system installed commencing the week of August 3, 2009.*

- 7. NTMWD agrees to install best available control technology for windblown waste, including but not limited to nets and screens as well as tarpaulin covers for incoming and outgoing trash hauling vehicles.**

*NTMWD will be using a number of situation-specific controls to comply with the TCEQ regulations and TCEQ issued permit, and will perform all functions required by the permit with respect to the control of windblown waste. Cover requirements for incoming and outgoing trash hauling vehicles is addressed in the Texas transportation regulations and is not under the jurisdiction of NTMWD. The current Lookout Drive Transfer Station includes many different methods to control windblown waste. These methods were reviewed with the City Council during a Work Session on June 29, 2009, and information provided in the first set of questions/answers posted on NTMWD's website on July 10, 2009.*

- 8. NTMWD agrees to include twice-daily windblown waste remediation in its permit application.**

*NTMWD will submit a permit application that meets the requirements of the TCEQ regulations regarding windblown waste. The current windblown waste program at the Lookout Drive Transfer Station includes continuous pickup of waste throughout the Lookout site, along Lookout Drive and along Plano Road.*

- 9. NTMWD agrees to prevent unauthorized use of the facility during the weekends and other non-operating hours by securing the LOTS entry and perimeter.**

*NTMWD will design and construct a facility that meets the requirements for security as established by the TCEQ issued permit. The NTMWD continues to work with the City of Richardson regarding the unauthorized use of the facility. Additionally, the City of Richardson Police Department is investigating illegal dumping occurrences and performing follow-up. As for the current Lookout Drive Transfer Station, the anticipated schedule to commence installation of the security fence is during the week of August 3, 2009.*

- 10. NTMWD and/or CoR agree to provide a safe bike route separate from the facility traffic.**

*To date, there are no final plans for the bike path along Lookout Drive; however, the City of Richardson Parks Department is currently assisting with design criteria for the bike trail design. As improvements to the overall "Lookout Area" are made, the plans for the bike path will become formalized taking into account safety and aesthetics.*

- 11. NTMWD agrees to install groundwater monitoring devices in and around Spring Creek and to report groundwater monitoring results on a monthly basis.**

*Groundwater monitor wells are not required for transfer stations.*

- 12. NTMWD agrees to staff the facility with a licensed municipal solid waste supervisor on premises during all operating hours.**

*NTMWD will staff the facility with personnel in accordance with the TCEQ issued permit.*

- 13. NTMWD agrees to plant shielding vegetation at the site within 30 days of permit approval.**

*NTMWD will provide landscaping in accordance with City of Richardson requirements, and will install the landscaping at the appropriate time during the construction of the facility.*

- 14. NTMWD agrees to provide a citizen drop-off site for common recyclables and other recyclable items.**

*NTMWD currently provides and anticipates continuing to provide recycling of used oil and used oil filters, white goods, and automobile tires. It is anticipated, but not finalized, that household recyclables may be dropped off on the adjacent City of Richardson property once its improvements are completed.*

- 15. NTMWD agrees to mitigate odor and discourage vectors by diverting food and yard waste through the composting facility.**

*NTMWD operates a composting program that accepts yard trimmings, brush, clean wood material, tree trimmings, vegetative material, leaves, grass clippings (no sod), mixed yard waste, leaf mulch, shrubbery, sawdust, Christmas trees, wood chips, wood demolition debris (non-painted), wood fence material (non-painted), wood pallets, old corrugated containers, tree trunks no greater than eight feet (8') long, and residential food waste collected with these materials from NTMWD Member Cities. NTMWD will continue to accept these wastes delivered by the Member Cities as part of the composting program.*

- 16. NTMWD agrees to use best management practices during all construction phases to prevent runoff and erosion into the nearby watershed. Additionally, NTMWD agrees to control noise, dust and emissions from construction vehicles to lessen potential impacts on the nearby community.**

*Local, State and Federal rules, regulations and ordinances address these issues. NTMWD will develop plans and specifications, require construction methods, and operate and maintain the transfer station in accordance with the local, State and Federal rules, regulations and ordinances governing these issues.*

- 17. NTMWD agrees to repair Lookout Drive and to share all costs of road maintenance and repair to Plano Road and Renner Road with CoR based upon percentage of garbage intake at LOTS from other cities.**

*The City of Richardson has responsibility for maintenance of public roadways within its city limits and will perform maintenance as required on these public roadways. The Regional Solid Waste Disposal System Contract between the NTMWD and each solid waste Member City does not obligate the NTMWD to share in roadway maintenance costs.*