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Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 24, 2021

Mr. Rodney Rhoades
Interim Executive Director
North Texas Municipal Water District
P.O. Box 2408
Wylie, Texas 75098

Subject: 121 Regional Disposal Facility – Collin County
Municipal Solid Waste – Permit No. 2294
Permit Modification – Technical Review Completed
Tracking No. 25968987; RN101308781/CN601365448

Dear Mr. Rhoades:

We have completed the technical review of your application for the permit modification dated February 26, 2021, requesting changes to the existing site operating plan for the above-referenced facility to authorize the use of Posi-Shell Base Mix as alternative daily cover. The use of this material as ADC was previously authorized in temporary authorizations issued on November 27, 2019 and June 17, 2020. We have received six bimonthly status reports that indicate the ADC has been effective in controlling vectors, odors, and windblown waste. The information presented is technically sufficient for a permit modification, and a draft modification has been prepared.

You are now required to mail notice of the proposed modification to the current landowner list and all other persons listed in Title 30, Texas Administrative Code (30 TAC), §39.413, including persons on a mailing list maintained by the Texas Commission on Environmental Quality (TCEQ) Office of the Chief Clerk (OCC). Please contact the OCC Notice Team at (512) 239-3300 to obtain a copy of this mailing list. To assist you in meeting the requirements associated with this notice, the following items are enclosed:

- Notice of Application and Preliminary Decision (NAPD)
- Certification of the NAPD
- Draft Permit Modification Sheet

Please note it is very important that you follow all directions in the instructions provided below. If you do not, further processing of the application may be suspended; you may be required to re-mail the notice; or the application may be returned. If you have any questions regarding these notice procedures, please contact the OCC Notice Team at (512) 239-3300 before proceeding with mailing the notice.

1. Mail the notice in accordance with 30 TAC §305.70(i) and 30 TAC §39.1009. The text of the notice must comply with 30 TAC §39.411(b)(1), (2), (3), (6), (7), (9), and (11). Notice must be mailed to all persons listed in 30 TAC §39.413.

Mr. Rodney Rhoades

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2. Review the enclosed notice for accuracy and completeness. If your review identifies any inaccuracy in the text of the notice, please inform the Municipal Solid Waste Permits Section project manager listed below to revise and reissue the notice sheet as necessary. Please be aware that the applicant is responsible for the accuracy of the contents of the NAPD.
3. Ensure the notice includes a statement indicating that written comments by the public must be received by the OCC within 23 days from the date that notice is mailed.
4. File an original enclosed Certification of the NAPD and a copy of the mailing list with the OCC, to the attention of the Notice Team, within 23 days after the date the notice is mailed. Include a copy of the NAPD when you file the certification of notice.

Once the 23-day comment period has ended and the Certification of NAPD has been filed, we will continue processing the modification application in accordance with 30 TAC §305.70(g)(2). If no comments are received, the TCEQ will act on the modification request within 14 days from the end of the comment period.

If you have any questions regarding your application, please contact the Municipal Solid Waste Permits Section project manager Steve Odil at (512) 239-4568 or in writing at the address on our letterhead (please include mail code MC 124 on the first line).

Sincerely,



Matthew Udenenwu, Team Leader
Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality

MU/SPO/sm

cc: Felipe Wescoup, P.E., Biggs & Mathews, Mansfield

Enclosures

Texas Commission on Environmental Quality



Notice of Application and Preliminary Decision for Municipal Solid Waste Permit Modification

Permit No. 2294

Application and Preliminary Decision. North Texas Municipal Water District, P.O. Box 2408, Wylie, TX 75098 has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit modification to authorize the use of Posi-Shell Base Mix as alternative daily cover. The facility is located at 3820 Sam Rayburn Hwy, Melissa, TX 75454 in Collin County, Texas. This application was received by the TCEQ on March 3, 2021. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcgis/05PjDC0>. For exact location, refer to the application.

The TCEQ executive director has completed the technical review of the application and has prepared a draft permit modification. The draft modification, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision that this permit modification, if issued, meets all statutory and regulatory requirements. The permit modification application may be viewed online at <https://www.ntmwd.com/documents/alternate-daily-cover-permanent-use-permit-modification-request/>. If you need alternative viewing, contact the Municipal Solid Waste Permits Section at (512) 239-2335.

Public Comment. You may submit public comments about this application. Written public comments must be received in the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically submitted to www14.tceq.texas.gov/epic/eComment/ within 23 days after the date this notice is mailed. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. After the deadline for public comments, the executive director will review and consider the comments. The executive director is not required to file a response to comments. **If approved, notice of issuance will be mailed to everyone who submitted public comments or requested to be on the mailing list for this application. If comments are received, the mailing will also provide an explanation of the opportunity to file a motion to overturn the executive director's decision.**

Mailing List. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific application; (2) the permanent mailing list for a specific applicant name and permit number; and/or (3) the permanent mailing list for a specific

county. Clearly specify the mailing list(s) you wish to be placed on and send your request to the TCEQ Office of the Chief Clerk at the address provided above. Unless you otherwise specify, you will be included only on the mailing list for this specific application.

Information. For details about the status of the application, visit the Commissioners' Integrated Database at <www.tceq.texas.gov/goto/cid>. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

If you need more information about this permit modification application or the permitting process, please call the TCEQ Public Education Program at (800) 687-4040 or visit their website at <www.tceq.texas.gov/goto/pep>. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Jeffrey Mayfield, P.E. at (972) 442-5405.

This notice was mailed on **[date notice was mailed]**.

MSW [Permit/Registration] No.:_____

[Permittee/Registrant] Name:_____

**CERTIFICATION OF NOTICE OF APPLICATION AND PRELIMINARY DECISION
FOR MUNICIPAL SOLID WASTE PERMIT OR REGISTRATION
MODIFICATION PURSUANT TO 30 TAC §305.70**

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says
(name of signatory)
that (s)he is the _____ of _____; and
(title) *(name of permittee/registrant)*
that the attached Notice of Application and Preliminary Decision was provided on _____
(date)
as required by Title 30 Texas Administrative Code, Chapter 39, Section 39.106, by first class
mail to each property owner located within one-quarter mile of the above-named site, and to
other interested and/or affected parties included on the attached mailing list.

(signature of permittee/registrant or representative)

Subscribed and sworn to before me this the _____ day of _____, 20____, to
certify which witness my hand and seal of office.

Notary Public in and for the State of

SEAL

(print or type name of notary)

My Commission Expires _____
(date)

Texas Commission on Environmental Quality



Modification to Municipal Solid Waste Permit No. 2294 North Texas Municipal Water District – 121 Regional Disposal Facility

Municipal Solid Waste Permit No. 2294.

Description of Change:

This permit modification authorizes the use of Posi-Shell Base Mix as alternative daily cover.

The details for this permit modification are contained in the application dated February 26, 2021.

Part of Permit Modified:

Part IV, Site Operating Plan

Title page

Table of contents

Pages 48 and 49

New Appendix IV-C, Alternative Daily Cover Operating Plan

This modification is a part of Permit No. 2294 and should be attached thereto.

Approved, Issued and Effective in accordance with Title 30 Texas Administrative Code, §305.70(k)(5) and §330.165(d).

Issued Date:

For the Commission