



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 26, 2019

Mr. Jeffrey D. Mayfield  
Assistant Deputy - Solid Waste  
North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

Re: Declaration of Administrative Completeness  
North Texas Municipal Water District - 121 Regional Disposal Facility  
Melissa, Collin County, Texas  
Municipal Solid Waste Permit Number: 2294  
RN101308781/CN601365448  
Tracking No. 24341565 & 24291417  
Notice of Receipt of Application for a Type I MSW Limited Scope Permit Major  
Amendment Application

Dear Mr. Mayfield:

The Executive Director has declared the above referenced application, received on June 24, 2019, administratively complete on July 26, 2019.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.

Mr. Jeffrey D. Mayfield  
Assistant Deputy - Solid Waste  
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Re: Municipal Solid Waste Permit Number: 2294

3. For each publication, return proof of publication of the newspaper notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with **all** the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,



Keiandré J. McGruder, License & Permit Specialist  
Business & Program Services Section  
Waste Permits Division  
Texas Commission on Environmental Quality

Enclosures

cc: Mr. David Clark, P.E., Senior Engineer, Biggs & Mathews Environmental, Inc. - Mansfield

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN MUNICIPAL SOLID WASTE PERMIT AMENDMENT PROPOSED LIMITED SCOPE AMENDMENT TO PERMIT NO. 2294

**Application.** North Texas Municipal Water District (NTMWD), P.O. Box 2408, Wylie, Collin County, Texas 75098, has submitted an application to the Texas Commission on Environmental Quality (TCEQ) for a limited scope permit amendment to authorize an alternative liner system consistent with 30 TAC 305.62(j)(2)(c), and 330.335; and other changes as identified in the application for 121 Regional Disposal Facility. The NTMWD - 121 Regional Disposal Facility is located at 3820 Sam Rayburn Hwy, Melissa, Collin County, Texas 75454-2602. The TCEQ received this application on June 24, 2019. The application is available for viewing and copying at Melissa Public Library, 3411 Barker Avenue, Melissa, Collin County, Texas 75454, and may be viewed online at <http://www.ntmwd.com/projects/121-regional-disposal-facility/>. 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://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.290833&lng=-96.514166&zoom=13&type=r>. For exact location, refer to application.

**Additional Notice.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**Public Comment/Public Meeting.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**Opportunity for a Contested Case Hearing.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive

Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.

If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.

A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**To Request a Contested Case Hearing, You Must Include The Following Items in Your Request:** your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

**Mailing List.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**Information Available Online.** For details about the status of the application, visit the Commissioners' Integrated Database (CID) at <[www.tceq.texas.gov/goto/cid](http://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.

**Agency Contacts and Information.** All public comments and requests must be submitted either electronically at <<https://www14.tceq.texas.gov/epic/eComment/>> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box

**13087, Austin, Texas 78711-3087.** 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.

For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al 800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jeffrey D. Mayfield, Assistant Deputy - Solid Waste at (972) 442-5405.

Issued Date: July 26, 2019

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## INSTRUCTIONS FOR PUBLIC NOTICE for Municipal Solid Waste Permits

### NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

#### Please Review Notice

Included in the notice is all of the necessary information. Please read it carefully and notify Mr. Keiandré J. McGruder immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice without prior approval from the TCEQ.

#### Newspaper Notice

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.
- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, at least once in a newspaper(s) meeting the following requirements:
  - First. You must publish notice either 1) in the newspaper of largest circulation within the county where the facility is or is proposed to be located or, 2) if the facility is located or is proposed to be located in a municipality, in any newspaper of general circulation in the municipality, and
  - Second. You must publish notice either 1) in the newspaper of largest general circulation *that is published in the county* in which the facility is located or is proposed to be located, or 2) if a newspaper is not published in the county, the notice must be published in any newspaper of general circulation in the county.
- These requirements may be satisfied by one publication if the newspaper meets all of these requirements.
- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold font**, *italics*). **Failure to do so may require re-notice.**

## Alternative Language Notice

If your application was received on or after November 30, 2005, you must publish notice in an alternative language if the following criteria are met.

- You must publish the public notice in an alternative language if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by TEX. EDUC. CODE, Chapter 29, Subchapter B, and 19 TEX. ADMIN. CODE § 89.1205(a) and one of the following conditions is met:
  - students are enrolled in a program at that school;
  - students from that school attend a bilingual education program at another location; or
  - the school that otherwise would be required to provide a bilingual education program waives out of this requirement under 19 TEX. ADMIN. CODE § 89.1205(g).
- If triggered, you must publish the notice in the alternative language taught in the bilingual education program. You must publish this notice in a newspaper or publication primarily published in that alternative language. The newspaper or publication must be of general circulation in the county in which the facility is located or proposed to be located. If the facility is located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.
- You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements.
- You have the burden to demonstrate compliance with these requirements. To assist you in meeting these requirements, the TCEQ has provided a Public Notice Verification Form (enclosed). You must fill out the attached Public Notice Verification Form indicating your compliance with the requirements regarding publication in an alternative language.
- If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. You may obtain the electronic version of the Spanish template from the TCEQ website at [www.tceq.state.tx.us/permitting/waste\\_permits/wastespanishtemplates.html](http://www.tceq.state.tx.us/permitting/waste_permits/wastespanishtemplates.html).
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

## Proof of Publication

- Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.
- For each newspaper in which you published, you must submit **proof of publication** that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is: (1) a copy of the published notice; or (2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper. Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a

copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.

- For each newspaper notice, you must submit an **original Publisher's Affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions.** The affidavit must clearly identify the applicant's name and permit number. **If you are using one newspaper to satisfy all publication requirements, you must still fill out affidavits #1 and #2, checking the relevant boxes for the criteria that the newspaper satisfies.**
- You are encouraged to submit the affidavits with the proof of publication described above. However, the affidavits must be submitted no later than **30 calendar days** after publication of notice.
- You must fill out the attached Public Notice Verification form. On this Form, you must verify that you submitted the notices and the original Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavits within **30 calendar days** after publication of the notice.
- The **original Publisher's Affidavits, the Public Notice Verification form, and the proof of publication** must be mailed to:

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

#### Failure to Publish and Submit Proof of Publication

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, the TCEQ may suspend further processing of your application or take other action.

#### Application in a Public Place

- You must put a copy of the administratively complete application in a public place for review and copying by the public. This public place must be located in the county where the facility is or proposed to be located.
- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).
- The administratively complete application must be available **beginning on the first day of newspaper publication and must remain in place until the end of the comment period.**
- During the technical review, you must update the publicly available application so that it includes all application revisions within **10 business days** from the date the revision is transmitted to the TCEQ.



- If the application was submitted to the TCEQ with information marked as confidential, you must indicate in the public copy of the application that there is additional information in a confidential file. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."
- You must fill out the attached Public Notice Verification form. On this Form, you must verify that a complete application and all subsequent revisions are available for review and copying in a public place as required by the TCEQ's regulations and instructions. This Form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

#### General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Receipt and Intent to Obtain Permit.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact Mr. Keiandr  J. McGruder at (512) 239-4112.

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN, TX 78711-3087

Applicant Name: North Texas MWD  
Permit No.: 2294  
NOTICE OF RECEIPT AND INTENT TO  
OBTAIN PERMIT

**Publisher's Affidavit #1  
FOR MUNICIPAL SOLID WASTE PERMIT APPLICATIONS**

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_; that said newspaper is  
*(name of newspaper)*

**(Check applicable box)**

- ☐ the newspaper of largest circulation within the county where the facility is or is proposed to be located; or
- ☐ the facility is located or is proposed to be located in a municipality and the newspaper is generally circulated in the municipality;

*If using one newspaper to satisfy all publication requirements, you must still fill out Affidavit #2, checking the boxes indicating the criteria the newspaper satisfies.*

and that the attached notice was published in said newspaper on the following date(s):

by \_\_\_\_\_.  
*Newspaper Representative's Signature*

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

(Personalized Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

\_\_\_\_\_  
My Commission Expires

Applicant Name: North Texas MWD  
 Permit No.: 2294  
 NOTICE OF RECEIPT AND INTENT TO  
 OBTAIN PERMIT

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

### My Commission Expires

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN TX 78711-3087

Applicant Name: North Texas MWD  
Permit No.: 2294  
NOTICE OF RECEIPT AND INTENT TO  
OBTAIN PERMIT

**Alternative Language Publisher's Affidavit**

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned notary public, on this day personally appeared,

\_\_\_\_\_, who being by me duly  
(name of person representing newspaper)

sworn, deposes and says that (s)he is the \_\_\_\_\_  
(title of person representing newspaper)

of the \_\_\_\_\_; that this newspaper is generally  
(name of newspaper)

circulated in \_\_\_\_\_ County, Texas, and is published primarily  
(same county as proposed facility)

in \_\_\_\_\_ language; that the attached notice was published in said  
(alternative language)

newspaper on the following date(s):

\_\_\_\_\_  
by \_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

(Personalized Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

\_\_\_\_\_  
My Commission Expires



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Waste Permit**

Print Form

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NTMWD - 121 REGIONAL DISPOSAL FACILITY

TCEQ Account Number (if applicable): \_\_\_\_\_ Permit Number: 2294

Regulated Entity Number: RN101308781 Customer Number: CN601365448

All applicants must complete all applicable portions of this form. The completed form must be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice refer to the instructions in the public notice package.

**ALTERNATIVE LANGUAGE CHECKLIST**

I have contacted the appropriate school district.

☐ Yes ☐ No

School District: \_\_\_\_\_

Phone: \_\_\_\_\_

Person Contacted: \_\_\_\_\_

Date: \_\_\_\_\_

A bilingual education program (BEP) is required by the Texas Education Code in the district? ☐ Yes ☐ No

If answer is NO, skip to 1st question in verification box on next page.

*(Note: A BEP is different from an "English as a Second Language" (ESL) program; and Elementary/Middle schools that only offer ESL will not trigger notice in an alternative language.)*

A BEP is required in the District, and either:

1. students in the elementary or middle school nearest the facility are enrolled in a program at that school. ☐ Yes ☐ No
2. students from the elementary or middle school nearest the facility attend a BEP at another location. ☐ Yes ☐ No
3. the school district that otherwise would be required to provide a BEP has been granted an exception from the requirements to provide the program, as provided for in 19 TAC § 89.1207(a). ☐ Yes ☐ No

If the answer is YES to either **1, 2, or 3** above, then alternative language notice is required.

If the answer is NO to all three **1, 2, and 3** above, then alternative language notice is not required.

The name of the elementary school nearest to the proposed or existing facility is:

\_\_\_\_\_  
The name of the middle school nearest to the proposed or existing facility is:

\_\_\_\_\_  
The following language(s) is/are utilized in the bilingual program: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Waste Permit**

Print Form

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NTMWD - 121 REGIONAL DISPOSAL FACILITY

TCEQ Account Number (if applicable): \_\_\_\_\_

Permit Number: 2402

Regulated Entity Number: RN101308781

Customer Number: CN601365448

**ALTERNATIVE LANGUAGE VERIFICATION**

1. A BEP is required by the Texas Education Code in the area addressed by this permit application and is subject to alternative language public notice requirements. ☐ Yes ☐ No

(If NO, skip 2 through 5 and complete signature, title, date, and name of applicant.)

2. The applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located.) ☐ Yes ☐ No

3. A newspaper or publication could not be found in any of the alternative language(s) in which notice is required. ☐ Yes ☐ No

4. The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located (or proposed to be located). ☐ Yes ☐ No

Newspaper: \_\_\_\_\_ Language: \_\_\_\_\_

5. Proof of publication and the publisher's affidavit(s) for alternative language notice(s) have been sent to the TCEQ. ☐ Yes ☐ No

Verified by (signature): \_\_\_\_\_

Applicant: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Waste Permit**

Print Form

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NTMWD - 121 REGIONAL DISPOSAL FACILITY

TCEQ Account Number (If applicable): \_\_\_\_\_

Permit Number: 2294

Regulated Entity Number: RN101308781

Customer Number: CN601365448

**WASTE PERMIT NOTICE VERIFICATION**

Proof of publication and publisher affidavits have been furnished in accordance with the regulations and instructions of the TCEQ.

☐ Yes ☐ No

**Notice of Receipt of Application and Intent to Obtain Permit (1st Notice):**

A copy of the complete waste application, and any revisions, are available for review and copying beginning on the 1st day of publication of the NORI at the public place indicated below. All documents will remain available throughout the duration of the public comment period.

☐ Yes ☐ No

**Name of Public Place:** \_\_\_\_\_

**Address of Public Place:** \_\_\_\_\_

**Verified by (signature):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_