

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 26, 2019

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

Subject: Applicant Name: North Texas Municipal Water District  
Facility Location: 3820 Sam Rayburn Hwy, Melissa City, Colin County, Texas 75454  
Application Number: 2294  
Permit Number: 2294  
Customer Reference Number: CN601365448  
Regulated Entity Number: RN101308781  
Type of Authorization: Limited Scope Permit Amendment

Dear Mr. Mayfield:

The Executive Director has completed the technical review of the above referenced application and has prepared a preliminary decision and draft permit.

You are now required to publish another notice of your proposed activity. To help you meet the requirements associated with this notice, we have included the following items:

- Instructions for Public Notice
- Publisher's Affidavits
- Public Notice Verification Form
- Notice for Newspaper Publication
- Draft Permit
- Executive Director's Preliminary Decision

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 *45 calendar days after the date of this cover letter*. 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, you must place the following items in a public place in the county where the facility is or will be located: (a) a copy of your permit application, including any subsequent revisions; (b) the Technical Summary and Executive Director's Preliminary Decision; and (c) the draft permit, including any subsequent

revisions. These items must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

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,



Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality

BCB/fz/sc

cc: Mr. David L. Clark, P.E., Biggs & Matthews Environmental, Mansfield

Enclosures

# Texas Commission on Environmental Quality



## Notice of Application and Preliminary Decision for Municipal Solid Waste Permit Amendment

### Proposed Limited Scope Amendment to Permit No. 2294

**Application and Preliminary Decision.** North Texas Municipal Water District, P. O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a limited scope permit amendment to authorize addition of an alternative liner system (Option 3) to the site development plan of the existing Type I MSW landfill. This limited scope permit amendment does not include a volume increase, lateral expansion, height increase, or increase in excavation depth. The facility is located at 3820 Sam Rayburn HWY, Texas 75454 in Colin County, Texas. The TCEQ received this application on June 24, 2019. 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:  
<http://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.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft limited scope amendment document. The draft limited scope amendment, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit amendment, if issued, meets all statutory and regulatory requirements. The permit amendment application, Executive Director's preliminary decision, and draft limited scope amendment document are available for viewing and copying at Melissa Public Library, 3411 Barker Avenue, Melissa, TX 75454. The permit application may be viewed online at <http://www.ntmwd.com/projects/121-regional-disposal-facility/>.

**Public Comment/Public Meeting.** You may submit public comments or request a public meeting about this application.] The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds 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 a contested case hearing or reconsideration of the Executive Director's decision. A person who may be

affected by the proposed 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 a state district court.

**To Request a Contested Case Hearing, You Must Include The Following Items in Your Request:** your name, address, phone; 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.

**Executive Director Action.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the limited scope amendment and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**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 within 30 days from the date of newspaper publication of this notice either electronically at <[www14.tceq.texas.gov/epic/eComment/](http://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 amendment 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 Mayfield at (972) 442-5405.

Issued Date: November 26, 2019

# Texas Commission on Environmental Quality



## Instructions for Public Notice for Municipal Solid Waste Permit

### Notice of Application and Preliminary Decision

The Executive Director has completed the technical review of your application and issued a preliminary decision. You must comply with the following instructions:

#### Please Review Notice

We have included in the notice all of the information that we believe is necessary. Please read it carefully and notify us 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 or affidavit of publication without prior approval from the TCEQ.

#### Newspaper Notice

- You must publish the enclosed Notice of Application and Preliminary Decision **within 45 calendar days** after the date this information was mailed to you (see date of cover letter).
- You must publish the enclosed Notice of Application and Preliminary Decision at your expense, in a newspaper(s) that meets the following requirements:
  - First. 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; and
  - Second. You must publish the enclosed Notice of Application and Preliminary Decision at least once in the same newspaper as the Notice of Receipt of Application and Intent to Obtain Permit
- 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, 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.texas.gov/permitting/waste\\_permits/wastespanishtemplates.html](http://www.tceq.texas.gov/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 all affidavits checking the relevant boxes for the criteria that the newspaper satisfies.**
- You are encouraged to submit the Publisher's Affidavits with the proof of publication described above. However, the affidavits must be submitted no later than **30 calendar days** after publication of the 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 Affidavit within **30 calendar days** after publication of the notice.
- The **original Publisher's Affidavits, the Public Notice Verification Form, and the proof of publication of the published notices** 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, then the TCEQ may suspend further processing on your application or take other actions.

### **Application in a Public Place**

- You must put a copy of the complete application, the Technical Summary and Executive Director's Preliminary Decision, the draft permit, and any subsequent revisions to these documents, in a public place for review and copying by the public. This public place must be located in the county where the facility is located or proposed to be located.
- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).
- This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.
- If the application is submitted to the TCEQ with information marked as confidential, you are required to indicate which specific portions of the application are not being made available to the public. 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 Affidavits within **30 calendar days** after publication of the notice.

### **General Information**

When contacting the Commission regarding this application, please refer to the permit/compliance plan number at the top of the Notice of Application and Preliminary Decision.

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.

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

Applicant Name: \_\_\_\_\_  
Permit/Compliance Plan No. \_\_\_\_\_  
NOTICE OF APPL. AND PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT #1  
FOR MUNICIPAL SOLID WASTE PERMIT APPLICATIONS**

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  
*(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

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

Applicant Name: \_\_\_\_\_  
Permit/Compliance Plan No. \_\_\_\_\_  
NOTICE OF APPL. AND PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT #2  
FOR MUNICIPAL SOLID WASTE PERMIT/COMPLIANCE PLAN APPLICATIONS**

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  
*(name of newspaper)*

***(Check applicable box)***

- the newspaper of largest general circulation *that is published in the county* in which the facility is located or proposed to be located, or
- the newspaper is generally circulated within the county; and there is no newspaper published in the county;

*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

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

Applicant Name: \_\_\_\_\_  
Permit/Compliance Plan No. \_\_\_\_\_  
NOTICE OF APPL. AND PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT  
FOR ALTERNATIVE LANGUAGE**

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  
*(alternative language)*

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Print Form

Public Notice Verification Form
Notice of Application and Preliminary Decision (NAPD)
Waste Permit

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

Site or Facility Name: \_\_\_\_\_

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

Regulated Entity Number: \_\_\_\_\_ Customer Number: \_\_\_\_\_

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

Print Form

Public Notice Verification Form
Notice of Application and Preliminary Decision
(NAPD)
Waste Permit

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

Site or Facility Name: \_\_\_\_\_

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

Regulated Entity Number: \_\_\_\_\_ Customer Number: \_\_\_\_\_

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**

Print Form

**Public Notice Verification Form  
Notice of Application and Preliminary Decision  
(NAPD)  
Waste Permit**

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

Site or Facility Name: \_\_\_\_\_

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

Regulated Entity Number: \_\_\_\_\_ Customer Number: \_\_\_\_\_

**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 Application and Preliminary Decision (2nd Notice):**

A copy of the complete waste application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and

The waste application and draft permit, and any revisions, will remain in the designated public place until either:

- 1) the TCEQ acts on the application; or
- 2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.  Yes  No

In addition, I verify that broadcast notice of application was given as required by 30 TAC § 39.503(d)(2) on the following radio stations which broadcast to all of \_\_\_\_\_ County(ies), TX (if applicable)  Yes  No

Radio Stations: \_\_\_\_\_

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

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

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

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

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

# Texas Commission on Environmental Quality



## **Limited Scope Amendment to Municipal Solid Waste Permit No. 2294 North Texas Municipal Water District - 121 Regional Disposal Facility**

Municipal Solid Waste Permit No. 2294 is hereby amended as follows:

### **Description of Change:**

The existing site development plan is revised to add an alternative liner system (Option 3) consisting of (from top to bottom) 24 inches protective soil cover, double sided drainage geocomposite, 60 mil HDPE geomembrane, and geosynthetic clay liner (GCL).

The details of this permit amendment are contained in the application dated June 19, 2019, and the revisions dated October 3, 2019.

### **Part of Permit Amended:**

Part III of the Application: Site Development Plan

Cover Page; List of Attachments; Drawings 1.3, 1.9 (new) and 1.9A (new)

Attachment 10

Title Page; List of Contents; Attachment 10 B (new)

Attachment 16 (new)

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

*Approved, Issued, and Effective* in accordance with Title 30 Texas Administrative Code Chapter 305, Section 305.62(j)(2) and Chapter 330, Subchapter H.

Issue Date:

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For the Commission



# Texas Commission on Environmental Quality

Remove  
DRAFT  
Watermark



## Limited Scope Amendment to Municipal Solid Waste Permit No. 2294 121 Regional Disposal Facility

Municipal Solid Waste Permit No. 2294 is hereby amended as follows:

### Description of Change:

The existing site development plan is revised to add an alternative liner system (Option 3) consisting of (from top to bottom) 24 inches protective soil cover, double sided drainage geocomposite, 60 mil HDPE geomembrane, and geosynthetic clay liner (GCL).

The details of this permit amendment are contained in the application dated June 19, 2019, and the revisions dated October 3, 2019.

### Part of Permit Amended:

#### Part III of the Application: Site Development Plan

- Cover Page; List of Attachments; Drawings 1.3, 1.9 (new) and 1.9A (new)
- Attachment 10
  - Title Page; List of Contents; Attachment 10 B (new)
  - Attachment 16 (new)

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

*Approved, Issued, and Effective* in accordance with Title 30 Texas Administrative Code Chapter 305, Section 305.62(j)(2) and Chapter 330, Subchapter H.

Issue Date:

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For the Commission

**Technical Summary  
of the  
121 Regional Disposal Facility  
MSW Limited Scope Amendment Application  
to Permit No. 2294**

**Type I  
Municipal Solid Waste Facility  
Collin County, Texas**

**Applicant:  
North Texas Municipal Water District**

**Date Prepared: November 2019**

**By the  
Municipal Solid Waste (MSW) Permits Section  
Office of Waste, Waste Permits Division  
Texas Commission on Environmental Quality**

This summary was prepared in accordance with 30 Texas Administrative Code Section 281.21(c). The information contained in this summary is based upon the permit application and has not been independently verified.

Name of Applicant: North Texas Municipal Water District  
P. O. Box 2408  
Wylie, Texas 75098

Name of Facility: 121 Regional Disposal Facility

Contact Person: Mr. Jeffrey D. Mayfield  
P. O. Box 2408  
Wylie, Texas 75098  
Phone No. 972-442-5405

Consulting Engineer: Mr. David L. Clark, P.E.  
Biggs & Matthews Environmental, Inc.  
1700 Robert Road, Suite 100  
Mansfield, Texas 76063  
Phone No. 817-563-1144

## **1.0 SUMMARY OF CHANGES**

The applicant submitted this limited scope permit amendment application requesting authorization to add an alternative liner system (Option 3) to the site development plan of the existing Type I MSW landfill in Collin County, Texas.

The proposed alternative liner system consists of (from top to bottom) 24-inches protective soil cover, double sided drainage geocomposite, 60 mil HDPE geomembrane, and geosynthetic clay liner (GCL).

## **2.0 TECHNICAL REVIEW**

The application has been technically reviewed by the Municipal Solid Waste Permits Section to determine its compliance with the applicable requirements in 30 TAC Chapters 305 and 330. Chapter 330 contains the minimum regulatory criteria for municipal solid waste facilities. It has been determined that the information in the permit amendment application demonstrates compliance with these regulatory requirements. A draft limited scope amendment document has been prepared and the application has been determined to be technically complete.

## **3.0 PUBLIC PARTICIPATION PROCESS**

The public can participate in the final decision on the issuance of a limited scope permit amendment as follows:

- 3.1 The TCEQ will hold a public meeting if the executive director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the commission accepts formal comments on the application. There is also an informal question and answer period.

- 3.2 After the technical review of the application is completed, a final draft limited scope amendment is prepared, and the application is declared technically complete. Information for the application, the draft limited scope amendment, the notice, and summaries are sent to the chief clerk's office for processing.
- 3.3 The "Notice of Application" is sent to the applicant and published in the newspaper. This notice provides a 30-day period, from the date of publication, for the public to make comment(s) about the application or draft limited scope amendment. The notice also allows the public to request a public meeting for the proposed facility.
- 3.4 After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is then sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a public hearing.
- 3.5 After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.
- 3.6 A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant party(ies) present witnesses and testimony to support or dispute information contained in the application. When all of this is complete, the ALJ will issue a Proposal for Decision (PFD). This PFD is placed on an agenda meeting of the TCEQ commissioners for consideration of issuance or denial of a permit.
- 3.7 After the commission has approved or denied an application, a motion for rehearing may be made by a party that does not agree with the decision. Any motion for rehearing must be filed no later than 25 days after the party or the party's attorney of record is notified of the decision. The matter could be set on another agenda for consideration by the commission or allowed to expire by operation of law.
- 3.8 Applications for which no one requests a contested case hearing are considered uncontested matters after the 30-day comment period. The application is placed on the executive director's signature docket and an amendment is issued. Any motion to overturn the executive director's decision must be filed no later than 23 days after the agency mails notice of the signed permit amendment.

**4.0 ADDITIONAL INFORMATION**

For information concerning the regulations covering this application, contact the Municipal Solid Waste Permits Section:

Mr. Frank Zeng  
Municipal Solid Waste Permits Section, MC 124  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711  
(512) 239-1132

For more detailed technical information concerning any aspect of this application or to request a copy of the Site Development Plan, please contact the consulting engineer or the applicant at the address provided at the beginning of this summary.

The application can be viewed on the internet at  
[http://www.tceq.texas.gov/permitting/waste\\_permits/msw\\_permits/msw\\_posted\\_apps.html](http://www.tceq.texas.gov/permitting/waste_permits/msw_permits/msw_posted_apps.html)

For information concerning the legal aspects of the hearing process, agency rules, and submitting public comments, please contact the Texas Commission on Environmental Quality's Office of the Public Interest Counsel at (512) 239-6363.

# Texas Commission on Environmental Quality

## Executive Summary

November 19, 2019

### DESCRIPTION OF APPLICATION

**Applicant:** North Texas Municipal Water District

**Facility:** 121 Regional Disposal Facility  
Municipal Solid Waste (MSW) Limited Scope Amendment to Permit No. 2294

**Type:** Type I MSW Landfill Facility

**Request:** To issue a limited scope amendment to permit No. 2294, an MSW Type I landfill facility, and to operate this facility in accordance with the rules and the application.

**Authority:** Texas Commission on Environmental Quality rules according to Title 30 Texas Administrative Code Chapter 330.

### EXECUTIVE DIRECTOR'S RECOMMENDATION

Issue permit as requested.

### TECHNICAL INFORMATION

**General:** The facility is located at 3820 Sam Rayburn HWY in Colin County, Texas. The limited scope permit amendment application requests authorization to add an alternative liner system (Option 3) to the site development plan of the existing Type I MSW landfill. The proposed alternative liner system consists of (from top to bottom) 24 inches protective soil cover, double sided drainage geocomposite, 60 mil HDPE geomembrane, and geosynthetic clay liner (GCL).

The permit limited scope amendment application meets the requirements of the Commission's rules and provides proper safeguards to protect public health and safety, and the environment.

**Conditions:** Conditions of the permit are set forth in the final permit document. Detailed information about the facility and its operation are contained in the Technical Summary.

### COMPLIANCE HISTORY

See attached compliance history.

### TCEQ Project Manager

Frank Zeng, Project Manager  
MSW Permits Section  
(512) 239-1132