

THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION

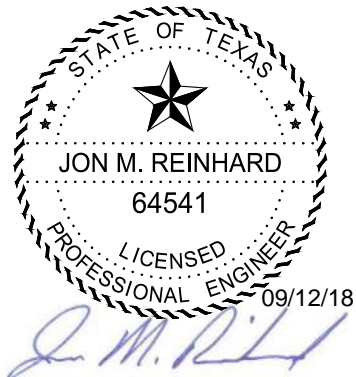
Volume 1 of 6



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0

Prepared by



HANSON PROJECT NO. 16L0438-0003



**CORRESPONDENCE COVER SHEET
WASTE PERMITS DIVISION
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

Date: September 14, 2018
 Facility Name: City of Fort Stockton Landfill
 Permit or Registration No.: MSW 235-C

Nature of Correspondence:
 Initial/New
 Response/Revision*

*If Response/Revision, please provide previous TCEQ Tracking No.:
 (Previous TCEQ Tracking No. can be found in the Subject line of the TCEQ's response letter to your original submittal.)

This cover sheet should accompany all correspondences submitted to the Waste Permits Division and should be affixed to the front of your submittal as a cover page. Please check the appropriate box for the type of correspondence being submitted. For questions regarding this form, please contact the Waste Permits Division at (512) 239-2335.

Table 1 - Municipal Solid Waste

APPLICATIONS	REPORTS and RESPONSES
<input type="checkbox"/> New Notification	<input type="checkbox"/> Closure Report
<input type="checkbox"/> New Permit (including Subchapter T)	<input type="checkbox"/> Groundwater Alternate SRC Demonstration
<input type="checkbox"/> New Registration (including Subchapter T)	<input type="checkbox"/> Groundwater Corrective Action
<input checked="" type="checkbox"/> Major Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> Groundwater Statistical Evaluation
<input type="checkbox"/> Limited Scope Major Amendment	<input type="checkbox"/> Landfill Gas Corrective Action
<input type="checkbox"/> Notice Modification	<input type="checkbox"/> Landfill Gas Monitoring
<input type="checkbox"/> Non-Notice Modification	<input type="checkbox"/> Liner Evaluation Report
<input type="checkbox"/> Transfer/Name Change Modification	<input type="checkbox"/> Soil Boring Plan
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Special Waste Request
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Other:
<input type="checkbox"/> Subchapter T Workplan	
<input type="checkbox"/> Other:	

Table 2 - Industrial & Hazardous Waste

APPLICATIONS	REPORTS and RESPONSES
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Annual/Biennial Site Activity Report
<input type="checkbox"/> Renewal	<input type="checkbox"/> CfPT Plan/Result
<input type="checkbox"/> Post-Closure Order	<input type="checkbox"/> Closure Certification/Report
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Construction Certification/Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> Class 3 Modification	<input type="checkbox"/> Extension Request
<input type="checkbox"/> Class 2 Modification	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Class 1 ED Modification	<input type="checkbox"/> Interim Status Change
<input type="checkbox"/> Class 1 Modification	<input type="checkbox"/> Interim Status Closure Plan
<input type="checkbox"/> Endorsement	<input type="checkbox"/> Soil Core Monitoring Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Treatability Study
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Trial Burn Plan/Result
<input type="checkbox"/> 335.6 Notification	<input type="checkbox"/> Unsaturated Zone Monitoring Report
<input type="checkbox"/> Other:	<input type="checkbox"/> Waste Minimization Report
	<input type="checkbox"/> Other:

September 14, 2018

Mr. Chance Goodin
Manager, Municipal Solid Waste Permits Section
Waste Permits Division (MC 124)
Texas Commission on Environmental Quality
12100 Park 35 Circle, Bldg. F
Austin, TX 78753

Re: City of Kingsville MSW Permit No. 235 C
Permit Amendment Application

Dear Mr. Goodin,

On behalf of the City of Kingsville, Hanson Professional Services Inc. hereby submits the enclosed Permit Amendment Application for both a vertical and lateral expansion for the above referenced MSW facility. Four (4) copies of the application are included for your review and comment. Included are Parts I through IV as required by the municipal solid waste regulations of the Texas Commission on Environmental Quality (TCEQ).

The application fee has been submitted separately to the TCEQ and documentation of payment is included in Part I of the application. In addition, an electronic copy of the mailing list of adjacent landowners is included on a flash drive enclosed in Part I.

We are respectfully requesting the TCEQ review the enclosed permit amendment application and look forward to your comments. If you have any questions or would like additional information, please don't hesitate to contact me.

Sincerely,

HANSON PROFESSIONAL SERVICES INC.



Jon M. Reinhard, P.E.
Project Engineer

cc: Bill Donnell, Kingsville Public Works Director
Pete Pina, Kingsville Landfill Superintendent

Attachments:

One (1) original & three (3) copies of the City of Kingsville Permit Amendment Application

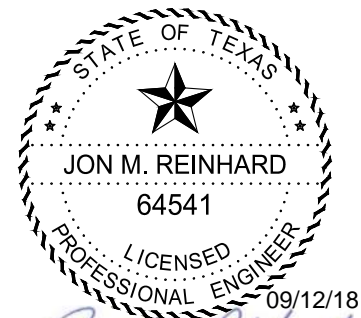
THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0



Prepared by



HANSON PROJECT NO. 16L0438- 000

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Contents of the Application

The City of Kingsville Landfill (Kingsville Landfill) is an existing Type I and Type IV Municipal Solid Waste Disposal Facility (Permit No. 235-B), owned and operated by the City of Kingsville (City). Kingsville Landfill is located in Kleberg County, Texas and provides waste disposal capacity for residences and businesses in Kleberg County and surrounding Texas counties. The City proposes to increase the remaining permitted disposal capacity of the landfill via a horizontal and vertical expansion. The expansion of Permit No. 235-B is submitted by this permit amendment application as Permit No. 235-C.

This permit amendment application has been prepared consistent with 30 TAC §330: Municipal Solid Waste Management Regulations adopted by the Texas Commission on Environmental Quality (TCEQ). Contents of this permit amendment application are submitted in four parts as required under these regulations.

Part I of the application consists of the information required in 30 TAC §281.5, §305.45, and §330.59 including the name of the facility, ownership, site location, nature of business of the facility, maps of the area, surrounding land owners list, property owner's affidavit, legal authority, evidence of competency, appointments, and evidence of financial assurance.

Part II of the application describes the existing conditions and character of the landfill, as well as the surrounding area. It includes a discussion of area land use, the transportation infrastructure available, and a general discussion of site soils. In addition, there is a discussion of floodplains, wetlands, and endangered species, as required under 30 TAC §330.61.

Part III of the permit amendment application presents engineering information, detailed investigative reports, the schematic designs of the facility, and the Site Development Plan (SDP) in accordance with the requirements of 30 TAC §330.63. The SDP contains information related to the proposed landfill method, access control, all-weather operations, solid waste disposal, site life, groundwater protection, drainage, final cover design, and endangered species protection.

Part IV of the application contains the Site Operating Plan (SOP), conforming to the requirements of 30 TAC §330.65. The SOP includes information identifying personnel and responsibilities, equipment, operating procedures, detection and prevention of disposal of prohibited waste, the fire prevention plan, and the sequence of development.

Abbreviations and Acronyms

Kingsville Landfill – City of Kingsville Landfill
City – City of Kingsville
ADC – Alternate Daily Cover
CESQG – Conditionally Exempt Small Quantity Generator
CFC – Chlorinated Fluorocarbon
CFR – Code of Federal Regulations
DIY – Do It Yourself
EPA – Environmental Protection Agency
GLER – Geosynthetics Liner Evaluation Report
GWSAP – Groundwater Sampling and Analysis Plan
LCS – Leachate Collection System
LCWMP – Leachate and Contaminated Water Management Plan
LFG – Landfill Gas
LGMP – Landfill Gas Management Plan
LQCP – Liner Quality Control Plan
M/S – Landfill Manager/Supervisor
MSL – Mean Sea Level
MSW – Municipal Solid Waste
MSWLF – Municipal Solid Waste Landfill
MSWMR – Municipal Solid Waste Management Regulations
NAS – Naval Air Station
NPDES – National Pollutant Discharge Elimination System
PCB – Polychlorinated Biphenyl
RRC – Railroad Commission of Texas
SDP – Site Development Plan
SLER – Soil Liner Evaluation Report
SOP – Site Operating Plan
SOR – Site Operating Record
SPCC – Spill Prevention, Control, and Countermeasures Plan
SWAP – Special Waste Acceptance Plan
SWPPP – Stormwater Pollution Prevention Plan
TAC – Texas Administrative Code
TCEQ – Texas Commission on Environmental Quality
TPDES – Texas Pollutant Discharge Elimination System
TXDOT – Texas Department of Transportation

MSW Application Checklist

Administrative and Technical Review Checklist for Municipal Solid Waste (MSW) Permits, Registrations and Amendments

This checklist is designed to provide guidance for the Municipal Solid Waste (MSW) rules found in Title 30 Texas Administrative Code (30 TAC) Chapter 330, for Type I, IV and V registration, permit, and permit amendment applications. Areas of the checklist that are shaded in gray are for information purposes only.

Please fill out application information before selecting and filling out a checklist.

Applicant Information			
Company:	City of Kingsville		
First name:	Pete	Last name:	Pina
Applicant Title:	Landfill Manager	Prefix:	
Street Address:	PO Box 1458		
City:	Kingsville	State:	Texas
		Zip code:	78364
Consultant Information			
First name:	Scot	Last name:	Collins
Consultant Title:	Project Manager/Professional Geologist	Prefix:	
Consultant Firm:	Hanson Professional Services Inc.		
Consultant Address:	4501 Gollihar Road		
City:	Corpus Christi	State:	Texas
		Zip code:	78411
Application Information			
Facility Name:	City of Kingsville Landfill		
Application Date	9/13/2018		
CN:	CN600674246	MSW ID:	235-C
RN:	RN102334570	Authorization Type:	Permit
County:	Kleberg	Application Type:	Permit Amendment

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ID	App. Part	Checklist Item	Item Type	Citation	Complete?	Location	Comments	Application Area
1	General	Submit all four parts of the permit, permit amendment or registration application	Required	330.57(a) & (b)	Yes	Part I, Part II, Part III & Part IV are included		Format-Application
2	General	Submit TCEQ Part I Form (Form No. 0650)	Required	330.57(c)(1)	Yes	Part I		Format-Application
3	General	Part II of the application contains location and coordination information.	Informational	330.57(c)(2)				Format-Application
4	General	Part III of the application contains design information	Informational	330.57(c)(3)				Format-Application
5	General	Part IV of the application contains the site operating plan	Informational	330.57(c)(4)				Format-Application
6	General	The application should address all aspects of application and design requirements, even to show why not applicable (N/A)	Informational	330.57(d)				Format-Application
7	General	Submit data of sufficient completeness, accuracy and clarity	Required	330.57(d)	Yes	Part I, Page 9 of 10		Format-Application
8	General	Failure to provide complete information may be cause for ED to return application.	Informational	330.57(d)				Format-Application
9	General	Provide 4 Copies for Initial Submittal (1 original and 3 copies)	Required	330.57(e)	Yes	1 original & 4 copies provided		Format-Application
10	General	Provide 4 copies for NOD Responses including 1 copy with marked revisions (redline/strikeout)	Required	330.57(g)(6)	Yes	Initial Submittal - Not Required		Format-Application
11	General	Application must be prepared in accordance with Texas Occupations Code, Texas Engineering Practice Act, Chapter 1001 and Texas Geoscience Practice Act, Chapter 1002	Informational	330.57(f)				Format-Application
12	General	Provide a PE signature, seal and date on the title page of each bound engineering report or individual engineering plan, and on each engineering drawing	Required	330.57(f)(1)	Yes	PE signature, seal & date are provided on the title page of each engineering report or engineering plan & on each engineering drawing		Format-Application
13	General	Provide PG sign, seal, & date for applicable items	Required	330.57(f)(2)	Yes	PG signature, seal & date are provided on applicable items		Format-Application
14	General	Applications that are not sealed are incomplete and shall be returned	Informational	330.57(f)(3)				Format-Application
15	General	Submit the application in three ring-binders	Required	330.57(g)(1)	Yes	Provided		Format-Application
16	General	Submit Title Page with Name, Application No., Site Operator Name, Operator Name (if applicable), Location, Date Prepared and Revision Date(s)	Required	330.57(g)(2)	Yes	Provided		Format-Application
17	General	Provide Table of Contents with PE seal	Required	330.57(g)(3)	Yes	Provided		Format-Application
18	General	Use 8.5x11 inch or 11x17 paper (folded to 8.5x11 inch)	Required	330.57(g)(4)	Yes	Provided		Format-Application
19	General	Provide pages with date (original and revised) and sequential page numbers	Required	330.57(g)(5)	Yes	Provided		Format-Application
20	General	Provide legible drawings/maps	Required	330.57(h)(1)	Yes	Provided		Format-Maps/Drawings
21	General	Provide color coding on all figures and drawings that is legible and distinct after copying in black & white	Required	330.57(h)(2)	Yes	Provided		Format-Maps/Drawings
22	General	Provide a standard engineering scale on each figure or drawing	Required	330.57(h)(3)	Yes	Provided		Format-Maps/Drawings
23	General	Provide a dated title block on each figure or drawing	Required	330.57(h)(4)(A)	Yes	Provided		Format-Maps/Drawings
24	General	Provide a bar scale at least 1 inch on all figures and drawings	Required	330.57(h)(4)(B)	Yes	Provided		Format-Maps/Drawings

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25	General	Provide a revision block on all figures and drawings	Required	330.57(h)(4)(C)	Yes	Provided		Format-Maps/Drawings
26	General	Provide a PE or PG seal ,if required, on all figures and drawings	Required	330.57(h)(4)(D)	Yes	Provided		Format-Maps/Drawings
27	General	Include drawing number and a page number on each drawing and figure	Required	330.57(h)(4)(E)	Yes	Provided		Format-Maps/Drawings
28	General	Include a north arrow on each map or plan drawing	Required	330.57(h)(5)(A)	Yes	Provided		Format-Maps/Drawings
29	General	Include a reference to base map & date of most current base map used, if the map is based upon another map	Required	330.57(h)(5)(B)	Yes	Provided		Format-Maps/Drawings
30	General	Include a legend on each map or plan drawing	Required	330.57(h)(5)(C)	Yes	Provided		Format-Maps/Drawings
31	General	Provide match lines and section lines that reference the drawing where the match or section is shown.	Required	330.57(h)(6)	Yes	Provided		Format-Maps/Drawings
40	General	Acknowledge that the construction and operation of the waste management facility shall comply with Subchapter U of 30 TAC Chapter 330(relating to Standard Air Permits for Municipal Solid Waste Landfill Facilities and Transfer Stations) or other approved air authorizations. Owners or operators of these types of facilities should consult with the Air Permits Division on or before the date that the municipal solid waste application is filed with the executive director	Acknowledgement	330.55(a)	Yes	Part I, Attachment 1, Section 9		Other Authorizations
41	General	Acknowledge that all liquids resulting from the operation of solid waste facilities shall be disposed of in a manner that will not cause surface water or groundwater pollution. Facilities shall provide for the treatment of wastewaters resulting from waste management activities and from cleaning and washing. Owners or operators shall ensure that storm water and wastewater management is in compliance with the regulations of the commission	Acknowledgement	330.55(a)	Yes	Part III, Section 4; Part III, Attachment 6; Part III, Attachment 15		Other Authorizations
42	General	A person may not cause, suffer, allow, or permit the disposal of municipal solid waste prior to recording, in the county deed records of the county or counties in which the disposal takes place, a metes and bounds description of the portion or portions of the tract of land on which disposal of solid waste will take place	Informational	330.19(a)				General Information
43	General	A certified copy of proof of deed recordation shall be provided to the executive director prior to instituting disposal operations.	Informational	330.19(b)				General Information

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44	General	It is the responsibility of an owner or operator to possess or acquire a sufficient interest in or right to the use of the surface estate of the property for which a permit is issued, including the access route. The granting of a permit does neither convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of federal, state, or local laws or regulations outside the scope of the authority under which a permit is issued	Informational	330.67(a)				General Information
45	General	The facility owner or operator shall retain the right of entry to the facility until the end of the post-closure care period for inspection and maintenance of the facility	Informational	330.67(b)				General Information
47	General	It is the responsibility of an owner or operator to obtain any permits or approvals that may be required by local agencies such as for building construction, discharge of uncontaminated waters into ditches under control of a drainage district, discharge of effluent into a local sanitary sewer system, etc.	Informational	330.67(b)				General Information
53	General	If at any time during the life of the facility the owner or operator becomes aware of any condition in the permit or registration that necessitates a change to accommodate new technology or improved methods or that makes it impractical to keep the facility in compliance, the owner or operator shall submit to the executive director requested changes to the permit or registration in accordance with 30 TAC §305.62 or §305.70 and must be approved prior to their implementation	Informational	330.73(a)				General Information
54	General	A preconstruction conference shall be held prior to commencement of physical construction for a municipal solid waste (MSW) landfill facility, a vertical landfill expansion, or a lateral landfill expansion. The preconstruction conference shall be held no more than 90 days prior to the date that construction is scheduled to begin. All aspects of the permit, construction activities, and inspections shall be discussed. Additional preconstruction conferences may be held prior to the opening of a new MSW landfill unit. The executive director and owner's representatives, including the engineer, the geotechnical consultant, the contractor, and the facility manager, shall attend the preconstruction conference.	Informational	330.73(c)				General Information

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55	General	The owner or operator shall obtain and submit certification by a Texas-licensed professional engineer that the facility has been constructed as designed in accordance with the issued registration or permit and in general compliance with the regulations prior to initial operation. The owner or operator shall maintain that certification on site for inspection	Informational	330.73(d)			General Information
56	General	After all initial construction activity has been completed and prior to accepting any solid waste, the owner or operator shall contact the executive director and region office in writing and request a pre-opening inspection. A pre-opening inspection shall be conducted by the executive director within 14 days of notification by the owner or operator that all construction activities have been completed, accompanied by representatives of the owner or operator and the engineer	Informational	330.73(e)			General Information
57	General	The MSW facility shall not accept solid waste until the executive director has confirmed in writing that all applicable submissions required by the permit or registration and this chapter have been received and found to be acceptable, and that construction is in compliance with the permit or registration and the approved site development plan. If the executive director has not provided a written or verbal response within 14 days of completion of the pre-opening inspection, the facility shall be considered approved for acceptance of waste	Informational	330.73(f)			General Information
58	General	Identify if the Regulated Entity or Customer has any delinquent fees	Required	330.59(h), 330.671, 330.675	Yes	Regulated Entity/Customer does not have any delinquent fees	Delinquent Fees
59	Part I	Provide a copy of the application, including all revisions and supplements on a publicly accessible Web site	Required in Part I Form	330.57(i)(1)			Part I Form
60	Part I	Provide the commission with the Web address link for the application materials	Required in Part I Form	330.57(i)(1)			Part I Form
61	Part I	Signature Page must have signature and notarization	Required in Part I Form	330.59(a)(1)			Part I Form
62	Part I	Applicant's name, mailing address & phone no.	Required in Part I Form	330.59(a)(1)			Part I Form
63	Part I	Description of the nature of the business	Required in Part I Form	330.59(a)(1)			Part I Form
64	Part I	Activities that require a permit (conducted at the facility)	Required in Part I Form	330.59(a)(1)			Part I Form
65	Part I	Location description, facility name & mailing address	Required in Part I Form	330.59(b)(1); 305.45(a)(1)			Part I Form
66	Part I	Access routes	Required in Part I Form	330.59(b)(2)			Part I Form
67	Part I	Lat. & Long. of the facility	Required in Part I Form	330.59(b)(3)			Part I Form
68	Part I	Lat. & Long. depicted	Required in Part I Form	330.59(c)(1)(A)			Part I Form
69	Part I	All maps should show the facility location	Required in Part I Form	305.45(a)(6)			Part I Form
70	Part I	All maps should display intake and discharge structures	Required in Part I Form	305.45(a)(6)			Part I Form
71	Part I	All maps should show other structures or locations regarding the regulated facility and associated activities	Required in Part I Form	305.45(a)(6)			Part I Form
72	Part I	At least one map with a scale not less than 1 inch = 1 mile	Required in Part I Form	305.45(a)(6)			Part I Form

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73	Part I	Permit/Registration boundary and 1 mile beyond to show the following:	Required in Part I Form	330.59(c)(1)(B)				Part I Form
74	Part I	Wells, springs, surface water bodies	Required in Part I Form	305.45(a)(6)(A)				Part I Form
75	Part I	Character of adjacent land including public roads, towns, development as residential, commercial, agricultural, etc.	Required in Part I Form	305.45(a)(6)(B)				Part I Form
76	Part I	Location of any waste disposal activities conducted on the tract but not included in the application	Required in Part I Form	305.45(a)(6)(C)				Part I Form
77	Part I	General location map, TXDOT, scale of ½ inch = 1 mile and most current map used	Required in Part I Form	330.59(c)(2)				Part I Form
78	Part I	Land Ownership Map, within ¼ mile & mineral interest ownership	Required in Part I Form	330.59(c)(3)(A)				Part I Form
79	Part I	Land Ownership List both in hardcopy and electronic form (alternatively pre-printed mailing labels)	Required in Part I Form	330.59(c)(3)(B)				Part I Form
80	Part I	Legal description of property or other documentation of ownership	Required in Part I Form	330.59(d)(1)(A)				Part I Form
81	Part I	If Platted; plat record with county, book, page number and acreage information	Required in Part I Form	330.59(d)(1)(B)				Part I Form
82	Part I	Signed, sealed and dated surveyed metes and bounds description of the facility	Required in Part I Form	330.59(d)(1)(C)				Part I Form
83	Part I	Signed & sealed metes & bounds drawing	Required in Part I Form	330.59(d)(1)(D)				Part I Form
84	Part I	Signed property owner affidavit	Required in Part I Form	330.59(d)(2)				Part I Form
85	Part I	Acknowledge that State may hold owner responsible	Required in Part I Form	330.59(d)(2)(A)				Part I Form
86	Part I	Acknowledge that owner is responsible for deed record before & after operation	Required in Part I Form	330.59(d)(2)(B)				Part I Form
87	Part I	Acknowledge that the owner & State shall have access during life of the facility and during closure	Required in Part I Form	330.59(d)(2)(C)				Part I Form
88	Part I	Acknowledge that the owner & State shall have access during the post-closure care period	Required in Part I Form	330.59(d)(2)(C)				Part I Form
89	Part I	Verified legal status of applicant and list of persons with 20% or more ownership in the facility	Required in Part I Form	330.59(e)				Part I Form
90	Part I	Ownership status as federal, state, private, public, or other	Required in Part I Form	305.45(a)(2)				Part I Form
91	Part I	List of all Texas solid waste sites that the owner or operator has owned or operated within the last ten years. The site name, site type, permit or registration number, county, and dates of operation shall also be submitted.	Required in Part I Form	330.59(f)(1)				Part I Form
92	Part I	List of all solid waste sites in all states, territories, or countries in which the owner or operator has a direct financial interest. The type of site shall be identified by location, operating dates, name, and address of the regulatory agency, and the name under which the site was operated.	Required in Part I Form	330.59(f)(2)				Part I Form
93	Part I	Shall employ a licensed solid waste facility supervisor before operating	Required in Part I Form	330.59(f)(3)				Part I Form
94	Part I	Names of principals & supervisors owner or operators organization together with previous affiliations with other organizations involved with solid waste activities	Required in Part I Form	330.59(f)(4)				Part I Form
95	Part I	Landfilling, earthmoving exp. or license under Chapter 30. Include number and size of equipment	Required in Part I Form	330.59(f)(5)				Part I Form

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96	Part I	Signatory meets 305.44, documentation of delegated signatory authority	Required in Part I Form	330.59(g)				Part I Form
97	Part I	Corporations - signed by a corporate officer	Required in Part I Form					Part I Form
98	Part I	Partnership or proprietorship -signed by a general partner or proprietor	Required in Part I Form					Part I Form
99	Part I	Municipality, public agency -signed by an executive officer or elected official	Required in Part I Form					Part I Form
100	Part I	Signatory certification statement	Required in Part I Form					Part I Form
101	Part I	Hazardous Waste Management	Required in Part I Form	305.45(a)(7)(A)				Part I Form
102	Part I	Underground Injection Control	Required in Part I Form	305.45(a)(7)(B)				Part I Form
103	Part I	NPDES	Required in Part I Form	305.45(a)(7)(C)				Part I Form
104	Part I	Prevention of Significant Deterioration	Required in Part I Form	305.45(a)(7)(D)				Part I Form
105	Part I	Nonattainment Program	Required in Part I Form	305.45(a)(7)(E)				Part I Form
106	Part I	NESHAPS	Required in Part I Form	305.45(a)(7)(F)				Part I Form
107	Part I	Ocean dumping permit	Required in Part I Form	305.45(a)(7)(G)				Part I Form
108	Part I	Dredge & fill permit	Required in Part I Form	305.45(a)(7)(H)				Part I Form
109	Part I	Licenses under the TRCA	Required in Part I Form	305.45(a)(7)(I)				Part I Form
110	Part I	Other environmental permits	Required in Part I Form	305.45(a)(7)(K)				Part I Form
111	Part I	Permit Application Fee is \$150.00	Required in Part I Form	330.59(h)(1)				Part I Form
112	Part I	A copy of the payment receipt to the MSW Permits Section, if paid by check.	Required in Part I Form	330.59(h)(1)				Part I Form
113	Part I	Prepared by PE, PG, or qualified person	Required in Part I Form	330.57(f)				Part I Form
114	Part I	Description of facility & systems	Required in Part I Form	305.45(a)(8)(A)				Part I Form
115	Part I	Volume, average & max rate of disposal for each place of disposal	Required in Part I Form	305.45(a)(8)(B)(i)				Part I Form
116	Part I	Physical, chemical, thermal, organic, bacteriological, radiological properties of waste	Required in Part I Form	305.45(a)(8)(B)(ii)				Part I Form
117	Part I	Other reasonable information	Required in Part I Form	305.45(a)(8)(C)				Part I Form
118	Part II	Provide the sources and characteristics of all waste to be accepted.	Required	330.61(b)(1)	Yes	Part II, Section 2.1		Waste Acceptance Plan
119	Part II	Specify parametric limitations of each type of waste to be managed by the facility	Required	330.61(b)(1)	Yes	Part II, Section 2		Waste Acceptance Plan
121	Part II	Provide a descriptive narrative that describes the percentage of incoming waste that must be recovered and its intended use	Required if Requested	330.61(b)(1)(A)	Yes	Not Required		Waste Acceptance Plan
123	Part II	Provide an estimate of the maximum annual waste acceptance rate projected for 5 years	Required	330.61(b)(1)(C)	Yes	Part II, Section 2.2		Waste Acceptance Plan
124		Provide information to establish why a facility qualifies for a registration in accordance with 30 TAC §330.9	Required	330.61(b)(2)	Yes	Not Applicable		
125	Part II	Provide any site specific conditions that require special design considerations & possible mitigation of conditions identified under sections (h) - (o)	Required	330.61(a)	Yes	Part II, Section 1.5		Facility Impact
126	Part II	Provide information regarding the likely impacts of the facility on cities, communities, groups of property owners, or individuals.	Required	330.61(h)	Yes	Part II, Section 8		Facility Impact
127	Part II	Provide information on the compatibility of the facility with surrounding land use, zoning in the vicinity, community growth patterns, and other factors associated with the public interest.	Required	330.61(h)	Yes	Part II, Section 8		Facility Impact
128	Part II	Provide information on the character of surrounding land use within one mile	Required	330.61(h)(2)	Yes	Part II, Section 8.3		Existing Conditions
129	Part II	Provide information about the growth trends within five miles & directions of development	Required	330.61(h)(3)	Yes	Part II, Section 8.4		Existing Conditions

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130	Part II	Indicate the proximity to residences & items listed in 330.61(c)(4) & (12), ~ no. of residences & commercial establishments including direct & distance to nearest, population density, all within one mile.	Required	330.61(h)(4)	Yes	Part II, Section 8.5	Existing Conditions
131	Part II	Indicate all wells and the well density within 500 ft.	Required	330.61(h)(5)	Yes	Part II, Section 8.6	Existing Conditions
132	Part II	Provide any other information requested by the ED	Required	330.61(h)(6)	Yes	No other information requested by the ED	Existing Conditions
133	Part II	Provide data on availability & adequacy of access roads	Required	330.61(i)(1)	Yes	Part II, Section 9.2	Transportation
134	Part II	Provide the existing & expected traffic volumes on access roads within one mile of the facility during the expected life of the facility	Required	330.61(i)(2)	Yes	Part II, Section 9.3 & Section 9.4	Transportation
135	Part II	Provide an estimate of traffic volume generated by the facility on access roads within one mile of the facility	Required	330.61(i)(3)	Yes	Part II, Section 9.4	Transportation
136	Part II	Provide documentation of coordination for roadway improvements and documentation of coordination with TXDOT for traffic and location restrictions	Required	330.61(i)(4)	Yes	Part II, Section 9.2; Part II, Attachment 3	Transportation
137	Part II	Provide information about the facility's impact on airports per §330.545, documentation of coordination with FAA	Required	330.61(i)(5)	Yes	Part II, Section 9.5	Transportation
138	Part II	Provide documentation of coordination with FAA	Required	330.61(i)(5)	Yes	Part II, Section 9.5; Part II, Attachment 4	Transportation
139	Part II	Provide a demonstration of no bird hazards for landfill units within 10,000 ft. of turbojet runway	Required	330.545(a)	Yes	Part II, Section 9.5	Transportation
140	Part II	Provide a demonstration of no bird hazards for landfill units within 5,000 ft. of piston-type runway	Required	330.545(a)	Yes	Part II, Section 9.5; Part II, Attachment 2 & 4	Transportation
141	Part II	Provide notice to the airport & the FAA for MSW units within 6 miles of a small airport or within 5 miles of a large commercial airport.	Required	330.545(b)	Yes	Part II, Section 9.5; Part II, Attachment 2 & 4	Transportation
142	Part II	Putrescible waste disposal must not cause bird hazard, All units within the distances indicated in 330.545(b) must be evaluated	Informational	330.545(d)			Transportation
143	Part II	Discuss in general terms the geology and soils of the proposed site	Required	330.61(j)(1)	Yes	Part II, Section 10.2	Geology
144	Part II	Identify and provide data on fault area locations. If faults exist, see location restrictions in Part III, and include a fault study in the Geology Report	Required	330.61(j)(2)	Yes	Part II, Section 10.3	Geology
145	Part II	Identify and provide data on seismic impact zones. If located in impact zone see location restrictions in Part III	Required	330.61(j)(3)	Yes	Part II, Section 10.4	Geology
146	Part II	Identify and provide data on unstable areas. If unstable areas exist see location restrictions in Part III, and describe factors for determining unstable areas in the Geology Report	Required	330.61(j)(4)	Yes	Part II, Section 10.5	Geology
147	Part II	Provide data on site specific groundwater conditions	Required	330.61(k)(1)	Yes	Part II, Section 11.1	Groundwater and Surface Water
148	Part II	Provide data on surface water at or near the site	Required	330.61(k)(2)	Yes	Part II, Section 11.2	Groundwater and Surface Water

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149	Part II	Provide information on how facility will comply with applicable Texas Pollutant Discharge Elimination System (TPDES) storm water permitting requirements and the Clean Water Act, §402, as amended.. This may include the information requires by 30 TAC 330.61(k)(3)(A) & (B)	Required	330.61(k)(3)	Yes	Part II, Section 11.3	Groundwater and Surface Water
150	Part II	As applicable, provide a certification statement indicating the owner/operator will obtain the appropriate TPDES permit coverage when required	Required	330.61(k)(3)(A)	Yes	Part II, Section 11.3	Groundwater and Surface Water
151	Part II	As applicable, provide a copy of permit number under an individual wastewater permit	Required	330.61(k)(3)(B)	Yes	Part II, Section 11.3	Groundwater and Surface Water
152	Part II	Provide the location of any water wells.	Required	330.61(l)(1)	Yes	Part II, Section 12	Abandoned Oil and Water Wells
153	Part II	All water supply wells must be outside monitoring system or approved in the permit	Informational	330.61(l)(1)			Abandoned Oil and Water Wells
154	Part II	30 days prior to construction provide certification of plugging and abandonment of all water, oil and gas wells not approved in the permit	Informational	330.61(l)(1)			Abandoned Oil and Water Wells
155	Part II	Provide the location of oil & gas wells production wells may remain if identified & don't disrupt operations	Required	330.61(l)(2)	Yes	Part II, Section 12	Abandoned Oil and Water Wells
156	Part II	Production wells may remain if identified & they do not disrupt facility operations	Informational	330.61(l)(2)			Abandoned Oil and Water Wells
157	Part II	Indicate if the facility is within the 100yr floodplain. If facility within a floodplain see location restrictions in 30 TAC Chapter 330 Subchapter M	Required	330.61(m)(1)	Yes	Part II, Section 13.1	Floodplains and Wetlands
158	Part II	Indicate if wetlands are located within the facility boundary. If wetlands exist, see location restrictions in 30 TAC Chapter 330 Subchapter M	Required	330.61(m)(2)	Yes	Part II, Section 13.2	Floodplains and Wetlands
160	Part II	Acknowledge that the construction and operation of the facility shall not result in the destruction or adverse modification of the critical habitat or cause or contribute to the taking of endangered or threatened species.	Acknowledgement	330.61(n)(1)	Yes	Part II, Section 14	Endangered Species
161	Part II	Provide a demonstration of whether facility is located within species range and provide a biological assessment	Required	330.61(n)(2)	Yes	Part II, Section 14	Endangered Species
162	Part II	Provide documentation of compliance with Natural Resource Code, Chapter 191 (Texas Antiquities Code)	Required	330.61(o)	Yes	Part II, Section 15	Historical Commission
163	Part II	Provide documentation that Parts I and II of the application were submitted for review to the applicable council of governments for compliance with regional solid waste plans.	Required	330.61(p)	Yes	Part II, Section 15	COG Review
164	Part II	Acknowledgement that the owner or operator requested a review letter from any local government, as appropriate for compliance with local solid waste plans. A review letter is not a prerequisite to a final determination on a permit or registration application.	Acknowledgement	330.61(p)	Yes	Part II, Section 16	COG Review
166	Part II	Provide a constructed map showing boundary, zoning, & land use within one mile including info from 330.61(c)(4), (5), & (10) (schools, hospitals, etc.)	Required	330.61(g)	Yes	Part II, Attachment 1, Figure II.2	Maps/Drawings

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167	Part II	Provide the prevailing wind direction with a wind rose.	Required	330.61(c)(1)	Yes	Part I, Attachment 2, Figure I.1	Maps/Drawings
168	Part II	Provide the location of all known water wells within 500 feet of the proposed permit boundary with the state well numbering system designation for Water Development Board "located wells".	Required	330.61(c)(2)	Yes	Part I, Attachment 1, Page 6	Maps/Drawings
169	Part II	Provide the location of all structures and inhabitable buildings within 500 feet of the facility	Required	330.61(c)(3)	Yes	Part I, Attachment 1, Page 6	Maps/Drawings
170	Part II	Provide the location of all schools, licensed day-cares, churches, hospitals, cemeteries, ponds, lakes, residential, commercial, & recreational areas within one mile of the facility	Required	330.61(c)(4)	Yes	Part I, Attachment 1, Page 6	Maps/Drawings
171	Part II	Provide the location and surface type of roads used for access within one mile of the facility	Required	330.61(c)(5)	Yes	Part II, Page 13	Maps/Drawings
172	Part II	Provide the latitude & longitude of the facility	Required	330.61(c)(6)	Yes	Part II, Attachment 1, Figure II.2	Maps/Drawings
173	Part II	Provide the location of all area streams	Required	330.61(c)(7)	Yes	Part I, Attachment 2, Figure I.2.3	Maps/Drawings
174	Part II	Provide the location of all airports within six miles	Required	330.61(c)(8)	Yes	Part I, Attachment 2, Figure I.2-2; Part II, Section 9.5	Maps/Drawings
175	Part II	Indicate the property boundary of facility	Required	330.61(c)(9)	Yes	Part I, Attachment 2, Figure I.2-3	Maps/Drawings
176	Part II	Indicate all drainage, pipeline, and utility easements within & adjacent to the facility	Required	330.61(c)(10)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
177	Part II	Provide the location of all access control features	Required	330.61(c)(11)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
178	Part II	Provide the location of all archaeological sites, historical sites, and sites with an aesthetic quality adjacent to the facility	Required	330.61(c)(12)	Yes	Part II, Section 15	Maps/Drawings
179	Part II	Provide a facility layout map	Required	330.61(d)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
180	Part II	A set of maps may be provided	Informational	330.61(d)			Maps/Drawings
181	Part II	Provide an outline of solid waste management units	Required	330.61(d)(1)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
182	Part II	Provide the location of interior roads	Required	330.61(d)(2)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
183	Part II	Indicate the location of monitor wells	Required	330.61(d)(3)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
184	Part II	Provide the location of all facility buildings	Required	330.61(d)(4)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
185	Part II	Provide notes on sequence of development	Required	330.61(d)(5)	Yes	Part III, Attachment 1, Figure III.1-5 thru Figure III.1-13	Maps/Drawings
186	Part II	Indicate the location of all facility fencing	Required	330.61(d)(6)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
187	Part II	Provide the location of facility windbreaks, greenbelts, visual screening	Required	330.61(d)(7)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
188	Part II	Indicate the location of site entrance roads	Required	330.61(d)(8)	Yes	Part I, Attachment 2, Figure I.2-5	Maps/Drawings
189	Part II	Indicate the type of waste in each sector	Required	330.61(d)(9)(A)	Yes	Part III, Attachment 1, Figure III.1-2	Maps/Drawings
190	Part II	Provide the general sequence of filling operation	Required	330.61(d)(9)(B)	Yes	Part III, Attachment 1, Figure III.1-5 thru Figure III.1-13	Maps/Drawings
191	Part II	Provide the sequence of excavation & filling	Required	330.61(d)(9)(C)	Yes	Part III, Attachment 1, Figure III.1-5 thru Figure III.1-13	Maps/Drawings
192	Part II	Indicate the dimensions of cells	Required	330.61(d)(9)(D)	Yes	Part I, Attachment 2, Figure I.2-1	Maps/Drawings

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193	Part II	Indicate the maximum waste elevation & final cover	Required	330.61(d)(9)(E)	Yes	Part II, Section 1.2; Part III, Attachment 7, Figure III.7-1	Maps/Drawings
194	Part II	Provide a general topographic maps: USGS 7.5 minute or equivalent one map at scale 1 in. = 2,000 ft.	Required	330.61(e)	Yes	Part I, Attachment 2, Figure I.2-3	Maps/Drawings
195	Part II	Provide Aerial Photograph(s) that are at least 9 in. by 9 in. at scale range of one inch = 1,667-3,334 ft. that covers an area at least one mile in radius of the site. Facility boundary and fill areas (as applicable) must be shown.	Required	330.61(f)	Yes	Part I, Attachment 2, Figure I.2-4	Maps/Drawings
196	Part II	A series of photos showing growth trends may be used	Informational	330.61(f)(2)			Maps/Drawings
197	Part II	All submitted prints & photocopies must be legible	Informational	330.61(f)(3)			Maps/Drawings
198	Part II	Provide zoning map within two miles and a copy of any nonconforming use or special permit required for the facility	Required	330.61(h)(1)	Yes	Part II, Section 8	Maps/Drawings
199	Part II	Acknowledge whether the facility is located over the Edwards Aquifer recharge zone. If it is, the facility is subject to Chapter 213.	Acknowledgement	330.549(a)	Yes	Part II, Section 11.1	Groundwater and Surface Water
200	Part II	Type I & IAE Landfills are prohibited over the recharge zone	Informational	330.549(a)			Groundwater and Surface Water
201	Part II	Acknowledge if Class 1 cells or expansions are proposed; Class 1 cells are subject to location restrictions §335.584(b)(1)&(2) unless demonstration approved by ED.	Acknowledgement	330.549(b)	Yes	Not Applicable	Groundwater and Surface Water
202	Part II	Class 1 industrial solid waste may not be located in areas where underlying soil unit(s) have a Unified Soil Classification of GW, GP, GM, GC, SW, SP, or SM; or a hydraulic conductivity greater than 1 x 10 ⁻⁵ cm/sec	Informational	335.584(b)(1)(A)&(B)			Groundwater and Surface Water
203	Part II	Class 1 industrial solid waste may not be located in areas overlying a regional aquifer	Informational	335.584(b)(2)			Groundwater and Surface Water
204	Part II	A new landfill cell or an expansion of an existing landfill managing Class 1 waste may not be located in areas described in §335.584(b)(3) and (4)	Informational	330.561			Groundwater and Surface Water
205	Part II	Demonstrate that a facility with a Class 1 cell unit subject to active coastal shoreline erosion will be designed to prevent adverse effects resulting from storm surge and erosion or scouring by water.	Required if Requested	335.584(b)(4)	Yes	Not Applicable	Groundwater and Surface Water
208	Part II	Demonstrate that storage and processing facilities are located outside of the 100 year floodplain.	Required	330.547(c)	Yes	Part II, Section 13.1; Part II, Attachment 1, Figure II.1-5	Floodplains and Wetlands
209	Part II	For storage and processing facilities located within the 100 year floodplain, please provide a demonstration that the facility is designed to prevent washout during a 100 year storm event, or a conditional letter of map amendment from the Federal Emergency Management Administration administrator	Required	330.547(c)	Yes	Not Applicable	Floodplains and Wetlands
210	Part II	Acknowledge if the facility will be located in wetlands.	Acknowledgement	330.553(a) & (b)	Yes	Part II, Section 13.2	Floodplains and Wetlands
211	Part II	Demonstrate, if located within wetlands, that there is no practicable alternative location	Required	330.553(b)(1)	Yes	Not Applicable	Floodplains and Wetlands

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212	Part II	Acknowledge that the facility's construction & operations shall not cause or contribute to violations of state water quality standards, violation of any applicable toxic effluent standard or prohibition under the Clean Water Act §307; jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of a critical habitat, protected under the Endangered Species Act of 1973, or violate any requirement under the Marine protection, Research, & Sanctuaries Act	Acknowledgement	330.553(b)(2)(A) - (D)	Yes	Part II, Section 13.2		Floodplains and Wetlands
213	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing erosion, stability, & migration potential of native wetland soils, muds, and deposits used to support the landfill unit	Required	330.553(b)(3)(A)	Yes	Not Applicable		Floodplains and Wetlands
214	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing erosion, stability, & migration potential of dredged and fill materials used to support the landfill	Required	330.553(b)(3)(B)	Yes	Not Applicable		Floodplains and Wetlands
215	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing the volume and chemical nature of the waste managed in the landfill unit	Required	330.553(b)(3)(C)	Yes	Not Applicable		Floodplains and Wetlands
216	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing the impacts on fish, wildlife, and other aquatic resources and their habitat for the release of solid waste	Required	330.553(b)(3)(D)	Yes	Not Applicable		Floodplains and Wetlands
217	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing the potential effects of catastrophic release of waste to the wetlands and the resulting impacts on the environment	Required	330.553(b)(3)(E)	Yes	Not Applicable		Floodplains and Wetlands
218	Part II	If wetlands are located within the facility, submit a demonstration for the integrity of landfill unit by addressing any additional factors, as necessary, to demonstrate that ecological resources in the wetland are sufficiently protected	Required	330.553(b)(3)(F)	Yes	Not Applicable		Floodplains and Wetlands
219	Part II	Sufficient information shall be provided to the ED to allow a reasonable determination to be made with respect to the demonstrations cited in 30 TAC §330.553(b)	Informational	330.553(b)(5)				Floodplains and Wetlands
220	Part II	Provide the steps taken to achieve no net loss of wetlands	Required	330.553(b)(4)	Yes	Not Applicable		Floodplains and Wetlands
221	Part II	Acknowledge that the operation of this facility shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species	Acknowledgement	330.551(a)	Yes	Part II, Section 15		Endangered Species
222	Part II	The term "Harassing" means; An intentional or negligent act or omission that creates the likelihood of injury to wildlife	Informational	330.551(b)(1)				Endangered Species

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223	Part II	The term "Harming" means; An act of omission that actually injures or kills wildlife, including acts that annoy it to such an extent as to significantly disrupt essential behavioral patterns	Informational	330.551(b)(2)			Endangered Species
224	Part II	The term "Taking" means; collecting an endangered or threatened species or attempting to engage in such conduct	Informational	330.551(b)(3)			Endangered Species
226	Part II	Acknowledge that no solid waste disposal will occur within 25 ft. of the center line of any utility or pipeline easements but no closer than the easement, unless otherwise authorized by the executive director	Acknowledgement	330.543(a)	Yes	Part II, Section 1.4	Easements and Buffer Zone
227	Part II	Demonstrate that a 50 ft. buffer zone will be provided and maintained between feedstock or final product storage areas; solid waste storage, processing, Type IAE landfill units, Type IV landfill units, and Type IVAE landfill units within and adjacent to the facility boundary on property owned or controlled by the owner or operator	Required	330.543(b)(1)	Yes	Part II, Section 1.4	Easements and Buffer Zone
228	Part II	Demonstrate that a 125 ft. buffer zone will be provided and maintained around all Type I landfill units, and vertical and lateral expansions	Required	330.543(b)(2)(A)	Yes	Part II, Section 1.4	Easements and Buffer Zone
229	Part II	125 ft. buffer is required to be measured from outermost edge of new airspace for vertical expansions	Informational	330.543(b)(2)(B)			Easements and Buffer Zone
230	Part II	125 ft. buffer is required to be measured from edge of a horizontally expanded portion	Informational	330.543(b)(2)(C)			Easements and Buffer Zone
231	Part II	125 ft. buffer is required only for newly permitted airspace for vertical or lateral expansions	Informational	330.543(b)(2)(D)			Easements and Buffer Zone
232	Part II	The Executive Director may consider an alternative buffer zone if certain criteria are demonstrated.	Informational	330.543(b)(3)			Easements and Buffer Zone
233	Part II	Submit a demonstration that prescribed buffer zone standard is not feasible	Required if Requested	330.543(b)(3)(A)	Yes	Not Applicable	Easements and Buffer Zone
234	Part II	Provide a design alternative that demonstrates consistency with providing visual screening of solid waste activities	Required if Requested	330.543(b)(3)(B)(i)	Yes	Not Applicable	Easements and Buffer Zone
235	Part II	Provide a design alternative that demonstrates ready access for emergency response, maintenance, & monitoring	Required if Requested	330.543(b)(3)(B)(ii)	Yes	Not Applicable	Easements and Buffer Zone
239	Part II	the proposed site is located in a county with a population of more than 225,000 that is located adjacent to the Gulf of Mexico; and	Informational	330.563(a)			Type I/Type IV Location Prohibitions
240	Part II	prior to final consideration of the application by the commission, the commissioners of the county in which the facility is located have adopted a resolution recommending denial of the application.	Informational	330.563(a)			Type I/Type IV Location Prohibitions
241	Part II	The commission may not issue a permit for a Type I or Type IV landfill, conversion of a Type I to a Type IV landfill, and conversion of a Type IV to a Type I landfill, if the landfill is located or proposed to be located adjacent to a county with a population of more than 3.3 million and inside the boundaries of a national forest, as designated by the United States Forest Service.	Informational	330.563(b)			Type I/Type IV Location Prohibitions

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242	Part II	The limitations listed under Texas Health & Safety Code 361.123(a) - (c) does not apply to a permit or permit amendment requesting an areal expansion of an existing Type I municipal solid waste landfill.	Informational	330.563(b)			Type I/Type IV Location Prohibitions
243	Part II	Acknowledge if the landfill unit is located within 200 feet of a fault	Acknowledgement	330.555(a)	Yes	Part II, Section 10.3	Geology
244	Part II	Submit a demonstration, if the facility is less than 200 feet from a fault, to show that the structural integrity of the facility will not be damaged and be protective of human health and the environment	Required	330.555(a)	Yes	Not Applicable	Geology
245	Part II	Submit detailed fault studies for operations located within areas that may be subject to differential subsidence or active geological faulting	Required	330.555(b)	Yes	Not Applicable	Geology
246	Part II	Submit information for structural damage to constructed facilities such as roads, buildings, etc.	Required	330.555(b)(1)	Yes	Not Applicable	Geology
247	Part II	Submit information about scarps in natural ground surface	Required	330.555(b)(2)	Yes	Not Applicable	Geology
248	Part II	Submit information about the presence of surface depressions	Required	330.555(b)(3)	Yes	Not Applicable	Geology
249	Part II	Submit information about lineations noted on aerial photographs and topographic maps	Required	330.555(b)(4)	Yes	Not Applicable	Geology
250	Part II	Provide structural control of streams	Required	330.555(b)(5)	Yes	Not Applicable	Geology
251	Part II	Submit information regarding vegetation changes	Required	330.555(b)(6)	Yes	Not Applicable	Geology
252	Part II	Submit information for crude oil and natural gas accumulations;	Required	330.555(b)(7)	Yes	Not Applicable	Geology
253	Part II	Submit information for electrical spontaneous potential & resistivity logs	Required	330.555(b)(8)	Yes	Not Applicable	Geology
254	Part II	Submit information for earth electrical resistivity surveys	Required	330.555(b)(9)	Yes	Not Applicable	Geology
255	Part II	Submit information for open cell excavations	Required	330.555(b)(10)	Yes	Not Applicable	Geology
256	Part II	Submit information for any change in elevation of established benchmarks	Required	330.555(b)(11)	Yes	Not Applicable	Geology
257	Part II	Submit references to published geological literature of area	Required	330.555(b)(12)	Yes	Not Applicable	Geology
258	Part II	Provide location information to identify if the facility is located in a seismic impact zones	Required	330.557	Yes	Part II, Section 10.4	Geology
259	Part II	Submit a demonstration, if the facility is located in a seismic impact zones, that the facility is designed to resist the maximum horizontal acceleration in lithified earth material	Required	330.557	Yes	Not Applicable	Geology
260	Part II	Provide location information to identify if the facility is located in unstable areas susceptible to natural or human-induced events or forces capable of impairing the integrity of the landfill components	Required	330.559	Yes	Part II, Section 10.5	Geology
261	Part II	Submit a demonstration, if the facility is in an unstable area, that the design of the facility will not be disrupted	Required	330.559	Yes	Not Applicable	Geology
262	Part II	Provide factors for determining unstable areas. Landfill units located in an unstable area shall demonstrate that engineering measures have been incorporated into the landfill unit's design	Required	330.559	Yes	Not Applicable	Geology

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263	Part II	Submit information for local soil conditions that may result in significant differential settling	Required	330.559(1)	Yes	Not Applicable	Geology
264	Part II	Submit information for on-site local geologic or geomorphologic features	Required	330.559(2)	Yes	Not Applicable	Geology
265	Part II	Identify local human-made features or events	Required	330.559(3)	Yes	Not Applicable	Geology
266	Part III	Describe facility access control features	Required	330.63(b)(1)	Yes	Part III, Section 3	General Facility Design
267	Part III	Submit a process design for the facility [that includes items 330.63(b)(2)(A) through 330.63(b)(2)(F)]	Required	330.63(b)(2)	Yes	Part III, Section 3	General Facility Design
268	Part III	Submit a flow diagram(s) to describe the storage, processing, and disposal sequences for each type of waste and/or feedstock/recyclable material	Required	330.63(b)(2)(A)	Yes	Part III, Section 3.2.1	General Facility Design
269	Part III	Submit a schematic view drawing(s) showing phases for collection, separation and processing/disposal of each type of waste and/or feedstock/recyclable material	Required	330.63(b)(2)(B)	Yes	Part III, Section 3.2.1	General Facility Design
270	Part III	Provide ventilation & odor control measures for each unit	Required	330.63(b)(2)(C)	Yes	Part III, Section 3.2.2	General Facility Design
271	Part III	Provide construction details of storage, processing units & components, dimensions, capacity, materials used, etc.	Required	330.63(b)(2)(D)	Yes	Part III, Section 3.2.3	General Facility Design
272	Part III	Provide performance data for all storage and processing units and ancillary equipment	Required	330.63(b)(2)(D)	Yes	Part III, Section 3.2.1 & Part IV	General Facility Design
281	Part III	Provide adequate floor drains and/or sumps	Required	330.63(b)(3)(D)	Yes	Part III, Section 3.3	General Facility Design
282	Part III	Describe proper disposal of liquids resulting from waste processing, cleaning, and washing and provide for the treatment of waste water	Required	330.63(b)(4)	Yes	Part III, Section 3.3	General Facility Design
283	Part III	Describe how facility will be designed to protect endangered species	Required	330.63(b)(5)	Yes	Part III, Section 3.4	General Facility Design
284	Part III	Acknowledge that the facility design complies with the requirements of 30 TAC 330.303(a) - (b)	Acknowledgement	330.63(c)	Yes	Part III, Attachment 6, Section 6.0	Surface Water Drainage Report
285	Part III	Submit a surface water and drainage report that is in accordance with 30 TAC, Chapter 330, Subchapter G	Required	330.63(c)	Yes	Part III, Attachment 6, Section 6.0	Surface Water Drainage Report
286	Part III	Demonstrate that existing or permitted drainage patterns will not be adversely altered	Required	330.305(a)	Yes	Part III, Attachment 6, Appendix 6A	Surface Water Drainage Report
287	Part III	Provide a design of the run-on control system to prevent 25 yr. storm run-on to active face	Required	330.305(b)	Yes	Part III, Attachment 6, Appendix 6B.15.14	Surface Water Drainage Report
288	Part III	Provide a design for run-off management system to, at a minimum, collect & control run-off at the active face from a 24 hr. 25 yr. storm event	Required	330.305(c)	Yes	Part III, Attachment 6, Appendix 6B.15.14	Surface Water Drainage Report
289	Part III	Provide erosion control of top dome & external embankment side slope surfaces during life and post-closure care of facility	Required	330.305(d)	Yes	Part III, Attachment 6, Appendix 6B.16	Surface Water Drainage Report
290	Part III	Demonstrate estimated peak velocities for top surfaces and external embankment slopes to be less than the permissible non-erodible velocities under similar conditions	Required	330.305(d)(1)	Yes	Part III, Attachment 6, Appendix 6B.15	Surface Water Drainage Report
291	Part III	Provide a design for top surfaces and external embankment slopes to minimize erosion and not exceed the permissible soil loss	Required	330.305(d)(2)	Yes	Part III, Attachment 6, Appendix 6B.16	Surface Water Drainage Report

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292	Part III	Provide a design for drainage features, sizing and grading to prevent erosion, long term, low maintenance geotechnical stability to the final cover	Required	330.305(e)	Yes	Part III, Attachment 6, Appendix 6B	Surface Water Drainage Report
293	Part III	Describe maintenance and repair procedures of the collection, drainage, and/or storage units	Required	330.305(e)(1)	Yes	Part III, Attachment 6, Section 3.0	Surface Water Drainage Report
294	Part III	Provide interim erosion controls for phased development	Required	330.305(e)(2)	Yes	Part III, Section 4.7; Part III, Attachment 6, Section 3.0; Appendix 6B.14 & 6B.15	Surface Water Drainage Report
295	Part III	Provide drainage calculations using Rational Method for areas 200 acres or less	Required	330.305(f)(1)	Yes	Part III, Attachment 6, Appendix 6B.15	Surface Water Drainage Report
296	Part III	Provide drainage calculations using w/ HEC Modeling Systems or equivalent for areas > 200 acres	Required	330.305(f)(2)	Yes	Part III, Attachment 6, Appendix 6B.4 & 6B.5	Surface Water Drainage Report
297	Part III	Acknowledge that handling, storage, treatment, & disposal of contaminated surface or groundwater should be per 330.207	Acknowledgement	330.305(g)	Yes	Part III, Attachment 15, Section 6	Surface Water Drainage Report
298	Part III	Provide designs for contaminated water storage units	Required	330.305(g)	Yes	Part III, Attachment 15, Appendix G	Surface Water Drainage Report
299	Part III	Provide drainage area drawing(s) & calculations	Required	330.63(c)(1)(A)	Yes	Part III, Attachment 6, Appendix 6B.6.1 & 6B.7.1	Surface Water Drainage Report
300	Part III	Submit drainage area designs to include cross-sections for drainage facilities within the facility area	Required	330.63(c)(1)(B)	Yes	Part III, Attachment 6, Appendix 6B.6, 6B.7, 6B.9, 6B.10, 6B.11, 6B.14, 6B.15 & 6B.18	Surface Water Drainage Report
301	Part III	Submit drainage area designs to include ditch grades	Required	330.63(c)(1)(B)	Yes	Part III, Attachment 6, Appendix 6B.9 & 6B.10	Surface Water Drainage Report
302	Part III	Submit drainage area designs to include water flow rates, elevations, velocities, and flow line elevations	Required	330.63(c)(1)(B)	Yes	Part III, Attachment 6, Appendix 6B.9 & 6B.10	Surface Water Drainage Report
303	Part III	Submit calculations verifying drainage patterns will not be adversely altered	Required	330.63(c)(1)(C)	Yes	Part III, Attachment 6, Appendix 6B.6.1, 6B.7.1 & 6B.8	Surface Water Drainage Report
304	Part III	Submit and identify hydrologic method & calculations used to estimate peak flow rates and run-off volumes	Required	330.63(c)(1)(D)	Yes	Part III, Attachment 6, Section 5.0	Surface Water Drainage Report
305	Part III	Submit and identify the 25-year rainfall intensity used for facility design including the source of the data	Required	330.63(c)(1)(D)(i)	Yes	Part III, Attachment 6, Section 5.1	Surface Water Drainage Report
306	Part III	Submit and identify the 25-year rainfall intensity used for facility design including all other data used in conjunction with the selected hydrologic method. Their sources should be documented and described	Required	330.63(c)(1)(D)(i)	Yes	Part III, Attachment 6, Section 5.0	Surface Water Drainage Report
307	Part III	Submit and identify hydraulic calculations and designs for sizing the necessary collection, drainage, and/or detention facilities	Required	330.63(c)(1)(D)(ii)	Yes	Part III, Attachment 6, Appendix 6B	Surface Water Drainage Report
308	Part III	Submit a discussion and analyses to demonstrate that existing drainage patterns will not be adversely altered as a result of the proposed landfill development	Required	330.63(c)(1)(D)(iii)	Yes	Part III, Attachment 6, Section 4.0	Surface Water Drainage Report
309	Part III	Submit structural designs of the collection, drainage, and/or storage facilities	Required	330.63(c)(1)(D)(iv)	Yes	Part III, Attachment 6, Appendix 6B.6, 6B.7, 6B.9, 6B.10, 6B.11, 6B.14, 6B.15 & 6B.18	Surface Water Drainage Report
310	Part III	Provide the location for the facility to identify whether the site is located within a 100-year floodplain. Indicate the 100-year floodplain on the drawing listed in paragraph 330.63(c)(1)(A) of this subsection	Required	330.63(c)(2)(A)	Yes	Part III, Attachment 6, Appendix 6B.17	Surface Water Drainage Report

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311	Part III	Provide the source of all data for flood plain determination. The boundaries of the proposed landfill facility should be shown on the <u>floodplain map</u> .	Required	330.63(c)(2)(B)	Yes	Part III, Attachment 6, Appendix 6B.17	Surface Water Drainage Report
312	Part III	Provide (if the site is located within the 100-year floodplain) information detailing the specific flooding levels. If the Preliminary Plan approval is not required under Chapter 301 of this title and Section 16.236 of Texas Water Code you may indicate that the checklist items relevant to Chapter 301 are not applicable.	Required	330.63(c)(2)(C)	Yes	Not Applicable	Surface Water Drainage Report
313	Part III	The facility shall be protected from flooding by suitable levees constructed to provide protection from a 100-year frequency flood and in accordance with the rules of the commission relating to levee improvement districts and approval of plans for reclamation projects or the rules of the county or city having jurisdiction under Texas Water Code, §16.236, as implemented by Chapter 301, Subchapter C of this title (relating to Approval of Levees and Other Improvements)	Informational	330.307(a)			Surface Water Drainage Report
314	Part III	Provide maps, plats, drawings, computations and narratives of landfill levees; the applicant <u>should submit a detailed map</u> .	Required if Requested	301.33(a)(1)	Yes	Not Applicable	Surface Water Drainage Report
315	Part III	Provide the name and course of the river, stream, or other watercourse, which is associated with or would be affected by the <u>proposed project</u> .	Required if Requested	301.33(a)(2)	Yes	Not Applicable	Surface Water Drainage Report
316	Part III	Provide the location & ownership of existing levees, channels, dams, etc. that may be <u>affected</u> .	Required if Requested	301.33(a)(3)	Yes	Not Applicable	Surface Water Drainage Report
317	Part III	Provide the location and ownership, including current mailing address of owners, and location, shown by map, of all properties lying within any proposed protected area	Required if Requested	301.33(a)(4)(A)	Yes	Not Applicable	Surface Water Drainage Report
318	Part III	Provide a list of potentially affected property owners for notice adjacent to the proposed works or which may be affected by the project's alteration of the flood flows of the stream	Required if Requested	301.33(a)(4)(B)	Yes	Not Applicable	Surface Water Drainage Report
319	Part III	Provide a project design based on a statistical 100-year flood as a minimum. Flood level data available from state or federal agencies or other sources shall be provided for consideration in the selection of design flood frequency and <u>elevation</u> .	Required if Requested	301.33(b)(1)	Yes	Not Applicable	Surface Water Drainage Report
320	Part III	Provide plans to demonstrate the effects the proposed project will impose on existing flood conditions. This shall be illustrated by floodwater surface-elevation profiles and design-flood delineations of the floodplain with and without the project in place	Required if Requested	301.33(b)(2)	Yes	Not Applicable	Surface Water Drainage Report
321	Part III	Provide additional flood water surface-elevation profiles and design-flood delineations of the floodplain with the project in place and with a comparable levee or landfill on the opposite site of the stream if such do not exist	Required if Requested	301.33(b)(3)	Yes	Not Applicable	Surface Water Drainage Report

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322	Part III	Submit plans for levees that include structural integrity	Required if Requested	301.34(1)	Yes	Not Applicable	Surface Water Drainage Report
323	Part III	Submit plans that show compatibility with existing hydraulic conditions.	Required if Requested	301.34(2)	Yes	Not Applicable	Surface Water Drainage Report
324	Part III	Submit a design that any proposed levee or other improvement will not increase flooding or divert waters in such a way that any person's life or property will be endangered or subjected to significantly increased flooding	Required if Requested	301.34(3)	Yes	Not Applicable	Surface Water Drainage Report
325	Part III	The rights of third parties affected by a proposed levee or other improvement must be considered	Informational	301.34(4)			Surface Water Drainage Report
326	Part III	The commission and the executive director shall assure that, as far as possible, levees or other improvements shall be designed with primary consideration to the topographic and hydrographic conditions, and in such a manner that each division of a project shall be a complete, united project forming a coordinate part of an ultimately finished series of projects, so constituted that the successful operation of each united project shall coordinate with the successful operation of other projects within the same hydraulic influence	Informational	301.34(5)			Surface Water Drainage Report
327	Part III	Provide a minimum freeboard of three feet above the 100-year design flood hydraulic gradient where levees furnish protection for urbanized or developing areas	Required if Requested	301.34(6)	Yes	Not Applicable	Surface Water Drainage Report
328	Part III	Levees must not significantly restrict the flow of a 100-year frequency flood nor significantly reduce the temporary water storage capacity of the 100-year floodplain	Informational	330.307(b)(2)			Surface Water Drainage Report
329	Part III	The executive director may request any additional pertinent information from the applicant	Required if Requested	301.35	Yes	Not Applicable	Surface Water Drainage Report
330	Part III	Submit plans with PE design, signed & sealed	Required if Requested	301.36	Yes	Not Applicable	Surface Water Drainage Report
331	Part III	Submit, if constructed in a floodplain, the Preliminary Plan approval (along with the submitted application) from the governmental entity with jurisdiction under Texas Water Code, §16.236, as implemented by Chapter 301	Required if Requested	330.63(c)(2)(D)(i)	Yes	Not Applicable	Surface Water Drainage Report
337	Part III	Provide a design to control and contain spills and contaminated water from leaving the facility. Unenclosed containment areas shall also account for precipitation from a 25-year, 24-hour rainfall event	Required	330.63(d)(1)(B)	Yes	Part III, Attachment 15, Sections 4, 5 & 7	Waste Management Unit Design
338	Part III	Provide the maximum amount of time processed and unprocessed waste are to remain on site	Required	330.63(d)(1)(C)	Yes	Part IV, Section 4.6	Waste Management Unit Design
339	Part III	Submit an estimate of the amount and planned method for testing and final disposal of incinerator ash, and an estimate of the volume and method of treatment for process water	Required	330.63(d)(2)	Yes	Not Applicable	Waste Management Unit Design
340	Part III	Provide design specifications; including a plan view and a cross-section for surface impoundments	Required	330.63(d)(3)(A)	Yes	Part III, Attachment 15, Sections 4, 5 & 7	Waste Management Unit Design

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341	Part III	Provide a design that maintains the minimum freeboard and the basis of the design to prevent overtopping from a 25-year, 24-hour rainfall event	Required	330.63(d)(3)(B)	Yes	Part III, Attachment 15, Sections 4, 5 & 7	Waste Management Unit Design
342	Part III	Provide a liner quality control plan for surface impoundments per 30 TAC 330.339	Required	330.63(d)(3)(C)	Yes	Part III, Section 5.4; Part III, Attachment 10	Waste Management Unit Design
343	Part III	Provide all-weather operation during wet weather. Include interior access road locations and the type of surfacing on a facility plan. Provide control to minimize the tracking of mud onto the public road	Required	330.63(d)(4)(A)	Yes	Part III, Section 5.1	Waste Management Unit Design
344	Part III	Provide the landfill method proposed (e.g., moving-face cell trench, area fill, etc.)	Required	330.63(d)(4)(B)	Yes	Part III, Section 5.2	Waste Management Unit Design
345	Part III	Provide the elevation of deepest excavation, maximum elevation of waste, and maximum elevation of final cover	Required	330.63(d)(4)(C)	Yes	Part III, Section 5.2; Part III, Attachment 1 & 2	Waste Management Unit Design
346	Part III	Provide a calculation for the estimated rate of solid waste deposition and operating life of the landfill unit	Required	330.63(d)(4)(D)	Yes	Part III, Section 5.3	Waste Management Unit Design
347	Part III	Provide cross-sections showing the top of the levee, top of the proposed fill, and top of the wastes	Required	330.63(d)(4)(E)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
348	Part III	Provide sufficient number of cross-section w/ inset key map showing maximum elevation of proposed fill, existing ground, bottom of the excavations, and side slopes of trenches and fill areas	Required	330.63(d)(4)(E)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
349	Part III	Provide sufficient number of cross-section w/ inset key map gas vents or wells, groundwater monitoring wells, initial and static levels of any groundwater encountered	Required	330.63(d)(4)(E)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
350	Part III	Provide sufficient number of cross-section w/ inset key map showing the top of the levee, top of the proposed fill, top of the wastes, maximum elevation of proposed fill, existing ground, bottom of the excavations, side slopes of trenches and fill areas, gas vents or wells, groundwater monitoring wells, initial and static levels of any groundwater encountered	Required	330.63(d)(4)(E)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
351	Part III	Provide cross-sections so as to accurately depict the existing and proposed depths of all fill areas within the site. The fill cross-sections shall go through or very near the soil borings in order to show boring logs on the profile.	Required	330.63(d)(4)(E)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
352	Part III	Provide cross-sections to depict construction and design details of proposed compacted perimeter or toe berms and aerial-fill waste disposal areas	Required	330.63(d)(4)(F)	Yes	Part III, Attachment 2, Figures III.2-1 thru III.2-5	Waste Management Unit Design
353	Part III	Submit a Liner Quality Control Plan, prepared by a PE to include construction methods, engineering practices & the installation & testing of geomembrane (if used)	Required	330.63(d)(4)(G)	Yes	Part III, Attachment 10	Waste Management Unit Design
354	Part III	Submit a liner design for Type I units constructed that ensures that the concentration values listed in Table 1 (Figure: 30 TAC§330.331(a)(1)) will not be exceeded in the uppermost aquifer at the point of compliance	Required	330.331(a)(1)	Yes	Part III, Attachment 5	Waste Management Unit Design

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355	Part III	Submit a liner design constructed with a composite liner, and a leachate collection system that is designed and constructed to maintain less than a 30-centimeter depth of leachate over the liner	Required	330.331(a)(2)	Yes	Part III, Attachment 15, Section 3	Waste Management Unit Design
356	Part III	Submit a liner design that considers the hydrogeologic characteristics of the facility and surrounding land	Required	330.331(c)	Yes	Part III, Attachment 15, Section 3	Waste Management Unit Design
357	Part III	Submit a liner design that considers the climatic factors of the area	Required	330.331(c)	Yes	Part III, Attachment 15, Section 3	Waste Management Unit Design
358	Part III	Submit for a liner design that considers the volume and physical and chemical characteristics of the leachate	Required	330.331(c)	Yes	Part III, Attachment 15, Section 3	Waste Management Unit Design
359	Part III	Submit for a liner design that considers the quantity, quality, and direction of flow of groundwater	Required	330.331(c)	Yes	Part III, Attachment 5	Waste Management Unit Design
363	Part III	Submit for a liner design that considers the public health, safety, and welfare effects; and	Required	330.331(c)	Yes	Part III, Attachments 5 & 15	Waste Management Unit Design
364	Part III	Submit for a liner design that considers the practicable capability of the owner or operator.	Required	330.331(c)	Yes	Part III, Attachments 5 & 15	Waste Management Unit Design
365	Part III	Submit a design for a liner system that includes at least four feet of in-situ soil between the deposited waste and groundwater. This in-situ soil liner must meet all the physical properties for a constructed liner as detailed in §330.339(c)(5) of this title (relating to Liner Quality Control Plan)	Required	330.331(d)(1)	Yes	Not Applicable	Waste Management Unit Design
366	Part III	Submit a design for a liner system that includes at least a three-foot thick re-compacted clay liner between the deposited waste and groundwater. The constructed liner must meet all the criteria detailed in §330.339	Required	330.331(d)(2)	Yes	Not Applicable	Waste Management Unit Design
367	Part III	Submit a design for a liner system that includes an alternative liner system, in accordance with §330.335 of this title (relating to Alternative Liner Design).	Required if Requested	330.331(d)(3)	Yes	Part III, Attachment 5	Waste Management Unit Design
368	Part III	Landfill units that accept Class 1 industrial solid wastes, other than asbestos-containing material, must provide dedicated cells that meet the requirements prescribed under 30 TAC 330.331(e) through (e)(2)(C)	Informational	330.331(e)			Waste Management Unit Design
369	Part III	Demonstrate location compliance for a new landfill cell or an aerial expansion of an existing landfill cell as prescribed under 335.584(b)(1) and (2) relating to Location Restrictions.	Required if Requested	330.331(e)(3)	Yes	Not Applicable	Waste Management Unit Design
370	Part III	Provide a design for a leachate-collection and associated leachate-removal systems to be constructed of materials that are chemically resistant to the leachate expected to be generated	Required	330.333	Yes	Part III, Attachment 15, Sections 3 & 4	Waste Management Unit Design

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371	Part III	Provide a design for a leachate-collection and associated leachate-removal systems to be constructed of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials, and by any equipment used at the landfill	Required	330.333	Yes	Part III, Attachment 15, Sections 3.4, 3.5, 3.6 & 3.7	Waste Management Unit Design
372	Part III	Provide a design for a leachate-collection and associated leachate-removal systems to be designed and operated to function through the scheduled closure and post-closure care period of the landfill considering the factors prescribed under 30 TAC 330.333(A) through (G)	Required	330.333(A)-(G)	Yes	Part III, Attachment 15, Section 5	Waste Management Unit Design
373	Part III	Submit an alternative liner designs that include a leachate management system, a demonstration by computerized design modeling that the maximum contaminant levels detailed in 30 TAC §330.331 of this title (relating to Design Criteria), Table 1 will not be exceeded at the point of compliance	Required if Requested	330.335	Yes	Part III, Attachment 5	Waste Management Unit Design
374	Part III	Type IV landfills may be required to meet one or more provisions under 330.337 at ED's discretion	Informational	330.337(a)			Waste Management Unit Design
375	Part III	Submit calculations to demonstrate that the weight of liner & any ballast will offset uplift by a factor of 1.2	Required	330.337(b)(1)	Yes	Part III, Attachment 10, Appendix E	Waste Management Unit Design
376	Part III	Submit calculations to demonstrate that an active or passive dewatering system will reduce hydrostatic forces by a factor of 1.2	Required	330.337(b)(2)	Yes	Not Applicable	Waste Management Unit Design
377	Part III	Provide evidence to demonstrate that the soil surrounding the facility is so poorly permeable that GW cannot exert force on liner	Required if Requested	330.337(b)(3)	Yes	Not Applicable	Waste Management Unit Design
378	Part III	Submit evidence that the seasonal high GW is below planned excavation	Required if Requested	330.337(b)(4)	Yes	Not Applicable	Waste Management Unit Design
379	Part III	Provide for liner stability during filling through dewatering &/or ballasting approved by ED	Required	330.337(c)	Yes	Part III, Attachment 10, Section 10	Waste Management Unit Design
380	Part III	Provide a leachate collection system capable of handling leachate and groundwater inflow. Submit the calculations for maximum GW inflow	Required	330.337(d)	Yes	Part III, Attachment 15	Waste Management Unit Design
381	Part III	Provide a foundation evaluation that considers the stability, settlement, and constructability prior to excavating below the seasonal high water table	Required	330.337(e)	Yes	Part III, Attachment 10	Waste Management Unit Design
382	Part III	Provide a liner quality control plan to include methods & tests to verify liner will not uplift during construction & ballast placement	Required	330.337(f)(1)	Yes	Part III, Attachment 10, Section 10.6	Waste Management Unit Design
383	Part III	Provide measurements & test results verifying that the ballast meets criteria including inspections, compaction, weight, density, thickness, & top elevation	Required	330.337(f)(2)	Yes	Part III, Attachment 10, Section 10.5	Waste Management Unit Design
384	Part III	Provide designs for any dewatering systems used for liner construction and filling, and indicate that the system will be operated until the ED determines it is no longer required	Required if Requested	330.337(g)	Yes	Part III, Attachment 10, Appendix D	Waste Management Unit Design
385	Part III	Submit (if waste is to be used as ballast) an operating plan that provides for no brush or large items in first 5 ft. of thickness	Required if Requested	330.337(h)(1)	Yes	Part IV, Section 4.21	Waste Management Unit Design

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386	Part III	Provide (if waste is to be used as ballast) for the use of a 40,000 lb. compactor or equivalent to achieve a 1,200 lbs. per cubic yard density	Required if Requested	330.337(h)(2)	Yes	Part III, Attachment 10, Section 10.5	Waste Management Unit Design
387	Part III	Submit (if waste is to be used as ballast) methods for verifying waste as ballast compaction density not less than 1200 lbs. per cubic yard. No method is required if a 40,000 lb. compactor is used	Required if Requested	330.337(h)(3)	Yes	Part III, Attachment 10, Section 10.5	Waste Management Unit Design
388	Part III	Submit a ballast evaluation report that verifies the use of a 40,000 lb. compactor or that 1,200 lbs. per cubic yard density was achieved and must be sufficient to offset hydrostatic forces by a factor of 1.5	Required if Requested	330.337(h)(4)	Yes	Part III, Attachment 10, Section 9.5	Waste Management Unit Design
389	Part III	Provide for the adjustment of seasonal high water table, if necessary, as new data is collected	Required	330.337(i)	Yes	Part III, Attachment 10, Section 10.1	Waste Management Unit Design
390	Part III	Acknowledge that a ballast evaluation report will be submitted upon completion of placement. If ED does not respond within 14 days, discontinue dewatering or ballasting	Acknowledgement	330.337(j)	Yes	Part III, Attachment 10, Section 9.5	Waste Management Unit Design
391	Part III	Acknowledge that a ballast evaluation report will be submitted to verify that the liner did not undergo uplift	Acknowledgement	330.337(j)(1)	Yes	Part III, Attachment 10, Section 9.5	Waste Management Unit Design
392	Part III	Acknowledge that a certification that ballasting met the criteria will be submitted and signed and sealed by a P.E. and signature of permittee	Acknowledgement	330.337(j)(2)-(3)	Yes	Part III, Attachment 10, Section 9.5	Waste Management Unit Design
393	Part III	Provide a liner quality control plan prepared under the direction of a licensed professional engineer.	Informational	330.339(a)			Waste Management Unit Design
394	Part III	Provide in the liner quality control plan procedures that address the installation and testing of a geomembrane liner, if used	Required	330.339(a)	Yes	Part III, Attachment 10, Section 5	Waste Management Unit Design
395	Part III	Submit constructed liner details, depicted on cross-sections of a typical cell showing the slope, widths, and thicknesses for compaction lifts	Required	330.339(a)(1)	Yes	Part III, Attachment 3, Figure III.3-1 & III.3-2	Waste Management Unit Design
396	Part III	Provide soil and liner quality-control testing procedures, to include sampling frequency, all field sampling and testing, both during construction and after completion	Required	330.339(a)(2)	Yes	Part III, Attachment 10, Section 4 & 5	Waste Management Unit Design
397	Part III	Acknowledge that the professional of record who signs the soil liner evaluation report or his representative should be on site during all liner construction.	Acknowledgement	330.339(a)(2)	Yes	Part III, Attachment 10, Section 1.6	Waste Management Unit Design
398	Part III	Acknowledge that quality control of construction and quality assurance of sampling and testing procedures shall follow the latest technical guidelines of the executive director.	Acknowledgement	330.339(a)(2)	Yes	Part III, Attachment 10, Section 1.1	Waste Management Unit Design
399	Part III	Provide testing and reporting evaluation procedures to prepare the soil liner evaluation reports for the facility	Required	330.339(b)(1)	Yes	Not Applicable	Waste Management Unit Design
400	Part III	Submit information to specify materials, equipment, and construction methods for the compaction of clay soils and depict on a drawing	Required	330.339(b)(2)	Yes	Not Applicable	Waste Management Unit Design

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401	Part III	Submit details and drawings for the over excavation and recompaction of the in-situ soils, or the compaction of soils from a borrow source, and cross-sections of a typical cell showing the slope, widths, and thicknesses for compaction lifts	Required	330.339(b)(2)(A)	Yes	Not Applicable	Waste Management Unit Design
402	Part III	Submit procedures to be followed when excavations, cells, or disposal areas extend into or have the potential to extend into the groundwater; in accordance with 30 TAC 330.337	Required	330.339(b)(2)(B)	Yes	Part III, Attachment 10, Section 10	Waste Management Unit Design
403	Part III	Provide a description of installation methods, quality control testing, reporting, following the placement of geomembrane liners	Required	330.339(b)(3)	Yes	Part III, Attachment 10, Section 5	Waste Management Unit Design
404	Part III	Provide quality control testing frequencies and procedures that are in accordance with the executive director's most recent guidelines	Required	330.339(c)	Yes	Part III, Attachment 10, Section 5	Waste Management Unit Design
405	Part III	Provide a description of field sampling and testing procedures, both during construction and after completion of the lining, to be performed by a qualified professional	Required	330.339(c)(1)	Yes	Part III, Attachment 10, Section 5	Waste Management Unit Design
406	Part III	Provide for continuous on-site inspection during construction of the liner by the professional of record or his designated representative	Required	330.339(c)(2)	Yes	Part III, Attachment 10, Section 1.1	Waste Management Unit Design
407	Part III	Provide information to indicate the amount of compaction of clay liners expressed as a percentage of a maximum dry density based on a compaction test. Compaction shall have a coefficient of permeability of 1×10^{-7} centimeters per second (cm/sec) or less	Required	330.339(c)(3)	Yes	Not Applicable	Waste Management Unit Design
408	Part III	Submit and define the frequency of testing. These frequencies shall be expressed in numbers of tests per specific area of liner per lift or specific thickness of liner	Required	330.339(c)(4)	Yes	Not Applicable	Waste Management Unit Design
409	Part III	Provide for laboratory permeability tests. Tests shall be either constant head with back pressure or falling head tests	Required	330.339(c)(4)(A)	Yes	Not Applicable	Waste Management Unit Design
410	Part III	Provide for permeability tests to include; sieve analysis, Atterberg limits, moisture-density relationships, moisture content, and thickness verification	Required	330.339(c)(4)(B) - (F)	Yes	Not Applicable	Waste Management Unit Design
411	Part III	Provide for soils used as constructed liners to have a plasticity index--equal to or greater than 15; a liquid limit--equal to or greater than 30; percent passing 200 mesh sieve (-200) equal to or greater than 30%; percent passing one-inch screen--100%; and coefficient of permeability less than or equal to 1×10^{-7} cm/sec.	Required	330.339(c)(5)(A)-(E)	Yes	Not Applicable	Waste Management Unit Design
412	Part III	Acknowledge that permeability tests for proving the suitability of soils to be used in constructing clay liners shall be performed in the laboratory	Acknowledgement	330.339(c)(6)	Yes	Not Applicable	Waste Management Unit Design
413	Part III	Provide field quality control with field density tests based on moisture-density compaction curves, Atterberg limits, and lab permeabilities of undisturbed field samples	Required	330.339(c)(6)	Yes	Not Applicable	Waste Management Unit Design

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414	Part III	Provide field permeability testing of in-situ soils or constructed soil liners for the floor of the excavation, in accordance with ASTM D5093	Required	330.339(c)(7)	Yes	Not Applicable	Waste Management Unit Design
415	Part III	Provide field permeability testing of in-situ soils or constructed soil liners for sidewalls, in accordance with a variation of the Boutwell STEI field permeability test	Required	330.339(c)(7)	Yes	Not Applicable	Waste Management Unit Design
416	Part III	Provide for quality control testing of soil liners to be performed during the construction of the liner	Required	330.339(c)(8)	Yes	Not Applicable	Waste Management Unit Design
417	Part III	Provide for all soil testing and evaluation of in-situ soil or constructed soil liners to be completed prior to installing the leachate collection system	Required	330.339(c)(9)	Yes	Not Applicable	Waste Management Unit Design
418	Part III	Calculate soil and liner density as a percentage of the maximum dry density and at the corresponding optimum moisture content. Soils tests must demonstrate a coefficient of permeability no greater than 1×10^{-7} cm/sec.	Required	330.339(d)	Yes	Not Applicable	Waste Management Unit Design
465	Part III	Provide a description of the liner system used for excavated waste storage, processing, and screening areas to control seepage and runoff	Required	330.63(d)(7)(C)	Yes	Not Applicable	Waste Management Unit Design
466	Part III	a description of how waste excavation activities will comply with the minimum design and operation requirements of §330.149, §330.151, §330.165, §330.167	Required	330.63(d)(7)(D)	Yes	Not Applicable	Waste Management Unit Design
467	Part III	The facility size shall be limited to a liquid waste processing rate no greater than 10,000 gallons per day	Informational	330.63(d)(9)(A)			Waste Management Unit Design
468	Part III	Provide documentation that the facility design and operation will be coordinated with a consultant connected with an accredited college or university or with a consultant that has demonstrated the ability to carry out scientific experiments for demonstrating new and unproven waste handling methods and submitted to the executive director.	Required	330.63(d)(9)(B)	Yes	Not Applicable	Waste Management Unit Design
469	Part III	Indicate that the owner or operator shall submit to the executive director an annual and final status report to document the viability of the method being demonstrated. The report, at a minimum, must document the effluent standards and solid waste standards achieved.	Required	330.63(d)(9)(B)	Yes	Not Applicable	Waste Management Unit Design
470	Part III	Submit a Geology Report, prepared and signed by a qualified groundwater scientist and includes a geologic map of the region with text describing the stratigraphy and lithology of the map units.	Required	330.63(e)&(1)(A)	Yes	Part III, Attachment 4	Geology Report
471	Part III	Provide a description of the generalized stratigraphic column in the facility area. Regional stratigraphic cross-sections should be provided and must include elements listed in 330.63(e)(1)(B).	Required	330.63(e)(1)(B)	Yes	Part III, Attachment 4, Appendix 1	Geology Report
472	Part III	Provide a description of geologic active processes, faulting, subsidence	Required	330.63(e)(2)	Yes	Part III, Attachment 4, Section 3.4 & 3.5; Part III, Attachment 4, Appendix 1, Section 3.3	Geology Report

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473	Part III	Provide a description of the regional aquifers in the vicinity of the facility based upon published and open-file sources	Required	330.63(e)(3)(A)	Yes	Part III, Attachment 4, Section 2.3 & 2.4; Part III, Attachment 4, Appendix 1, Section 4.0	Geology Report
474	Part III	Provide a description for the composition of the aquifer(s)	Required	330.63(e)(3)(B)	Yes	Part III, Attachment 4, Section 2.3 & 2.4; Part III, Attachment 4, Appendix 1, Section 4.0	Geology Report
475	Part III	Provide the hydraulic properties of the aquifer(s)	Required	330.63(e)(3)(C)	Yes	Part III, Attachment 4, Appendix 1, Section 4.0	Geology Report
476	Part III	Submit information on whether the aquifers are under water table or artesian conditions.	Required	330.63(e)(3)(D)	Yes	Part III, Attachment 4, Section 2.3; Part III, Attachment 4, Appendix 1, Section 4.0	Geology Report
477	Part III	Submit information for the hydraulic connectivity of aquifers	Required	330.63(e)(3)(E)	Yes	Part III, Attachment 4, Appendix 1, Section 4.2	Geology Report
478	Part III	Provide a regional water-table contour map or potentiometric surface map for each aquifer, if available;	Required	330.63(e)(3)(F)	Yes	Part III, Attachment 4, Appendix 1, Figure 4.11	Geology Report
479	Part III	Provide an estimate of the rate of groundwater flow	Required	330.63(e)(3)(G)	Yes	Part III, Attachment 4, Appendix 1, Section 6.2.2	Geology Report
480	Part III	Provide the typical values or a range of values for total dissolved solids content of groundwater from the aquifers	Required	330.63(e)(3)(H)	Yes	Part III, Attachment 4, Appendix 1, Section 4.1	Geology Report
481	Part III	Identify recharge areas to the aquifers within five miles of the site	Required	330.63(e)(3)(I)	Yes	Part III, Attachment 4, Appendix 1, Section 4.14	Geology Report
482	Part III	Identify what groundwater, withdrawn from vicinity aquifers is used for and provide the ID, location, & aquifer of each well within one mile of the facility	Required	330.63(e)(3)(J)	Yes	Part III, Attachment 4, Appendix 1, Section 4.4; Part III, Attachment 4, Appendix 1, Figure 4.15; Part III, Attachment 4, Appendix 1, Appendix 1	Geology Report
483	Part III	Provide the results of investigations of subsurface conditions. This report must describe all borings drilled on site to test soils and characterize groundwater and must include a site map drawn to scale showing the surveyed locations and elevations of the borings.	Required	330.63(e)(4)	Yes	Part III, Attachment 4, Appendix 1, Section 50; Part III, Attachment 4, Appendix 1, Figure 4.17; Part III, Attachment 4, Appendix 3, Appendix A; Part III, Attachment 4, Appendix 3, Section 3	Geology Report
484	Part III	Provided a sufficient no. of borings to characterize subsurface geology.	Required	330.63(e)(4)(A)	Yes	Part III, Attachment 4, Appendix 1, Section 50; Part III, Attachment 4, Appendix 3, Section 2	Geology Report
485	Part III	Provide for borings to be sufficiently deep to identify uppermost aquifer, hydraulically connected aquifers, and underlying aquiclude; See Figure: 30 TAC §330.63(e)(4)(B)	Required	330.63(e)(4)(B)	Yes	Part III, Attachment 4, Appendix 1, Section 50; Part III, Attachment 4, Appendix 3, Section 2	Geology Report
486	Part III	Provide all borings to be conducted in accordance with established field exploration methods.	Required	330.63(e)(4)(C)	Yes	Part III, Attachment 4, Appendix 1, Section 50; Part III, Attachment 4, Appendix 3, Section 2	Geology Report
487	Part III	Provide GW well installation, abandonment, and plugging	Required	330.63(e)(4)(D)	Yes	Part III, Attachment 4, Appendix 1, Appendix K	Geology Report
488	Part III	Number of borings & depth may be modified with ED approval	Informational	330.63(e)(4)(E)			Geology Report
489	Part III	Electrical resistivity information may be used to reduce the number of borings with ED approval	Informational	330.63(e)(4)(F)			Geology Report

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490	Part III	Submit cross-sections prepared from the borings; depicting the generalized strata at the facility. For small waste management units, two perpendicular cross-sections will normally suffice	Required	330.63(e)(4)(G)	Yes	Part III, Attachment 4, Appendix 1, Section 8; Part III, Attachment 4, Appendix 3, Section 5	Geology Report
491	Part III	Provide a narrative that describes the investigator's interpretations of the subsurface stratigraphy based upon the field investigation	Required	330.63(e)(4)(H)	Yes	Part III, Attachment 4, Appendix 1, Section 8; Part III, Attachment 4, Appendix 3, Exhibit 2	Geology Report
492	Part III	Provide geotechnical data that describes the geotechnical properties of the subsurface soil materials and a discussion with conclusions about the suitability of the soils and strata	Required	330.63(e)(5)	Yes	Part III, Attachment 4, Appendix 1, Section 8; Part III, Attachment 4, Appendix 3, Exhibit 2	Geology Report
493	Part III	Provide a laboratory report of soil characteristics determined from at least one sample from each soil layer or stratum that will form the bottom and side of the proposed excavation and from those that are less than 30 feet below the lowest elevation of the proposed excavation.	Required	330.63(e)(5)(A)	Yes	Part III, Attachment 4, Appendix 1, Section 8, Table 4.1 & 4.2; Part III, Attachment 4, Appendix 1, Appendix G; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B	Geology Report
494	Part III	Provide permeability tests to be performed according to one of the standards on undisturbed soil samples. All test results shall indicate the type of tests used and the orientation of each tested sample.	Required	330.63(e)(5)(B)	Yes	Part III, Attachment 4, Appendix 1, Appendix G; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B	Geology Report
495	Part III	Submit test results for constant head w/ back pressure	Required	330.63(e)(5)(B)(i)	Yes	Part III, Attachment 4, Appendix 1, Section 6.2.2; Part III, Attachment 4, Appendix 1, Appendix E	Geology Report
496	Part III	Submit test results for falling head	Required	330.63(e)(5)(B)(ii)	Yes	Part III, Attachment 4, Appendix 1, Section 6.2.2; Part III, Attachment 4, Appendix 1, Appendix E	Geology Report
497	Part III	Submit test results for sieve analysis	Required	330.63(e)(5)(B)(iii)	Yes	Part III, Attachment 4, Appendix 1, Section 8, Table 4.1 & 4.2; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B	Geology Report
498	Part III	Submit test results for Atterberg limits	Required	330.63(e)(5)(B)(iv)	Yes	Part III, Attachment 4, Appendix 1, Section 8, Table 4.1 & 4.2; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B	Geology Report
499	Part III	Submit test results for moisture content	Required	330.63(e)(5)(B)(v)	Yes	Part III, Attachment 4, Appendix 1, Section 8, Table 4.1 & 4.2; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B	Geology Report
500	Part III	Submit information for the depth at which groundwater was encountered and records of after-equilibrium measurements in all borings. The cross-sections prepared in response to 330.63(e)(4)(G) must be annotated to note the level at which groundwater was first encountered	Required	330.63(e)(5)(C)	Yes	Part III, Attachment 4, Appendix 2, Section 3.2; Part III, Attachment 4, Appendix 3, Exhibit 2, Appendix B; Part III, Attachment 4, Appendix 1, Appendix B	Geology Report
501	Part III	Submit water levels in monitoring wells, historical water levels in table format for each monitoring well	Required	330.63(e)(5)(D)	Yes	Part III, Attachment 4, Appendix 1, Appendix D; Part III, Attachment 4, Attachment 3	Geology Report

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502	Part III	Submit a tabulation of GW monitoring data on-site or on adjacent units	Required	330.63(e)(5)(E)	Yes	Part III, Attachment 4, Attachment 3; Part III, Attachment 4, Appendix 1, Attachment 5, Table 5.1 & 5.1B	Geology Report
503	Part III	Identify the uppermost aquifer and any lower aquifers that are hydraulically connected to it <u>beneath the facility</u>	Required	330.63(e)(5)(F)	Yes	Part III, Attachment 4, Appendix 1, Section 4.2	Geology Report
504	Part III	Provide a Groundwater Sampling and Analysis Plan. Compost Permits submit per Chapter 332	Required	330.63(f)	Yes	Part III, Attachment 11	Groundwater Sampling & Analysis Plan
505	Part III	Provide a topographic map delineating waste area, property boundary, point of compliance, & <u>GW monitoring wells</u>	Required	330.63(f)(1)	Yes	Part III, Attachment 11, Appendix A, Item 1	Groundwater Sampling & Analysis Plan
506	Part III	Provide a description of any contamination <u>plume from the unit</u>	Required	330.63(f)(2)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
507	Part III	Provide a delineation of contaminate plume on the <u>topographic map</u>	Required	330.63(f)(2)(A)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
508	Part III	Provide the concentration of each assessment constituent in the <u>plume</u>	Required	330.63(f)(2)(B)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
509	Part III	Provide an analysis of most likely pollutant pathway, include any GW modeling data & results per 330.403(e)(2), consideration of GW flow changes from construction	Required	330.63(f)(3)	Yes	Part III, Attachment 5	Groundwater Sampling & Analysis Plan
510	Part III	Provide detailed plans and an engineering report describing the proposed groundwater monitoring program to be implemented to meet the requirements of §330.403	Required	330.63(f)(4)	Yes	Part III, Attachment 4; Part III, Attachment 11, Appendix A, Item 1	Groundwater Sampling & Analysis Plan
511	Part III	Submit information; supporting data, analyses to establish detection monitoring program per 330.407; if hazardous constituents in 40 CFR 258 & 330.419 have not been detected	Required	330.63(f)(5)	Yes	Part III, Attachment 11, Section 3.0	Groundwater Sampling & Analysis Plan
512	Part III	Submit the proposed GW monitoring system	Required	330.63(f)(5)(A)	Yes	Part III, Attachment 11, Appendix A, Item 1	Groundwater Sampling & Analysis Plan
513	Part III	Submit background values for each monitoring parameter or constituent listed in §330.419 of this title, or procedures to calculate such values;	Required	330.63(f)(5)(B)	Yes	Part III, Attachment 11, Section 4.0; Part III, Attachment 11, Appendix A, Table 2	Groundwater Sampling & Analysis Plan
514	Part III	Provide for a semiannual monitoring frequency	Required	330.407(a)	Yes	Part III, Attachment 11, Section 3.2	Groundwater Sampling & Analysis Plan
515	Part III	Provide for a minimum of four statistically independent background GW samples collected quarterly unless approved, background may be updated every 2 yrs. with representative of background demonstration	Required	330.407(a)(1)	Yes	Part III, Attachment 11, Section 3.1	Groundwater Sampling & Analysis Plan
516	Part III	ED may approve alternative sampling frequency but not less than annual	Informational	330.407(a)(2)			Groundwater Sampling & Analysis Plan
517	Part III	For establishing background, ED may consider previous data	Informational	330.407(a)(3)			Groundwater Sampling & Analysis Plan
518	Part III	Provide Notification of SSI to ED within 14 days of the 60-day SSI determination	Required	330.407(b)	Yes	Part III, Attachment 11, Section 9.3	Groundwater Sampling & Analysis Plan
519	Part III	Provide (if SSI is determined) a notice to the operating record immediately & establish an assessment monitoring program within 90 days, or provide for resampling within 60 days of SSI determination	Required	330.407(b)(1)-(2)	Yes	Part III, Attachment 11, Section 9.3	Groundwater Sampling & Analysis Plan
520	Part III	Submit alternative source demonstration including Notification to ED & any local agency, within 14 days of the SSI determination, of the intent to submit ASD	Required	330.407(b)(3)-(A)	Yes	Part III, Attachment 11, Section 9.4	Groundwater Sampling & Analysis Plan

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521	Part III	Submit ASD report to ED & any local agency, within 90 days of the SSI determination, certified by a qualified GW scientist	Required	330.407(b)(3)(B)	Yes	Part III, Attachment 11, Section 9.4	Groundwater Sampling & Analysis Plan
522	Part III	Provide for No filtering of samples for ASD, ED may require leachate analyses to support ASD	Required	330.407(b)(3)(C)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
523	Part III	Owner/Operator may continue detection monitoring program	Informational	330.407(b)(3)(D)			Groundwater Sampling & Analysis Plan
524	Part III	Provide for assessment monitoring if no ASD satisfactory to the ED within 90 days of notice. ED may require additional point of compliance wells	Required	330.407(b)(4)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
525	Part III	Submit annual detection monitoring report within 90 days of last sampling even that includes the following	Required	330.407(c)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
526	Part III	Submit a statement regarding occurrences of SSI's	Required	330.407(c)(1)	Yes	Part III, Attachment 11, Section 9.3	Groundwater Sampling & Analysis Plan
527	Part III	Submit GW monitoring results, background GW quality, statistical calculations, graphs, & drawings	Required	330.407(c)(2)	Yes	Part III, Attachment 11, Section 9.2.1	Groundwater Sampling & Analysis Plan
528	Part III	Submit GW flow rate & direction based on detection sampling water elevations, any supporting documentation	Required	330.407(c)(3)	Yes	Part III, Attachment 11, Section 9.2.1	Groundwater Sampling & Analysis Plan
529	Part III	Provide for piezometric water level contour map and supporting documentation	Required	330.407(c)(4)	Yes	Part III, Attachment 11, Section 9.2.1	Groundwater Sampling & Analysis Plan
530	Part III	Submit recommendations for any changes	Required	330.407(c)(5)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
531	Part III	Submit any other information required by ED	Required	330.407(c)(6)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
532	Part III	Submit a permit amendment or modification, if detection monitoring program no longer satisfies 330.407	Required	330.407(d)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
533	Part III	Provide a description of proposed sampling, analysis, and statistical comparison procedures to be utilized in evaluating groundwater monitoring data	Required	330.63(f)(5)(C)	Yes	Part III, Attachment 11, Section 5.0, 9.2.2, 9.2.3, 9.2.4 & Appendix B	Groundwater Sampling & Analysis Plan
534	Part III	Provide a statement that information, supporting data, and analyses to establish assessment monitoring program per 330.409 will be provided if hazardous constituents are present	Required	330.63(f)(6)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
535	Part III	Provide a statement indicating that assessment monitoring information and a description of any special waste previously handled at the facility will be provided	Required	330.63(f)(6)(A)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
536	Part III	Indicate that a characterization of the contaminated groundwater, including concentration of assessment constituents as defined in §330.409 of this title, will be provided	Required	330.63(f)(6)(B)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
537	Part III	Indicate that a list of assessment constituents as defined in §330.409 of this title for which assessment monitoring will be undertaken, will be provided	Required	330.63(f)(6)(C)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
538	Part III	Provide plans & engineering report describing GW monitoring system	Required	330.63(f)(6)(D)	Yes	Part III, Attachment 11, Appendix A, Item 1	Groundwater Sampling & Analysis Plan
539	Part III	Provide a description of proposed sampling, analysis, and statistical comparison procedures to be utilized in evaluating groundwater monitoring data	Required	330.63(f)(6)(E)	Yes	Part III, Attachment 11, Section 9.2 & Appendix B	Groundwater Sampling & Analysis Plan

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540	Part III	Provide, if hazardous constituents have exceeded the concentration limits, supporting data, and analyses to establish a corrective action program that meets the requirements of §330.411 and §330.413	Required	330.63(f)(7)	Yes	Part III, Attachment 11, Section 11.0 & 12.0	Groundwater Sampling & Analysis Plan
541	Part III	Indicate that a characterization of the contaminated groundwater, including concentrations of assessment constituents as defined in §330.409	Required	330.63(f)(7)(A)	Yes	Part III, Attachment 11, Section 10.0, 11.0 & 12.0	Groundwater Sampling & Analysis Plan
542	Part III	Indicate that concentration limits for each constituent will be submitted	Required	330.63(f)(7)(B)	Yes	Part III, Attachment 11, Section 11.0 & 12.0	Groundwater Sampling & Analysis Plan
543	Part III	Indicate that plans & an engineering report describing corrective action will be submitted	Required	330.63(f)(7)(C)	Yes	Part III, Attachment 11, Section 10.0, 11.0 & 12.0	Groundwater Sampling & Analysis Plan
544	Part III	Submit a description of how the monitoring program will demonstrate adequacy of corrective action	Required	330.63(f)(7)(D)	Yes	Part III, Attachment 11, Section 11.0 & 12.0	Groundwater Sampling & Analysis Plan
545	Part III	Submit a schedule for submitting information required by 330.63(f)(7)(C) & (D)	Required	330.63(f)(7)(E)	Yes	Part III, Attachment 11, Section 11.0 & 12.0	Groundwater Sampling & Analysis Plan
546	Part III	Criteria to determine if the facility is exempt from groundwater monitoring	Informational	330.401(a)-(c)			Groundwater Sampling & Analysis Plan
547	Part III	Submit criteria for suspension of groundwater monitoring; the demonstration for suspension shall be certified by a qualified groundwater scientist and approved by the executive director	Required if Requested	330.401(d)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
548	Part III	Submit for suspension demonstration site specific data affecting contaminant fate & transport	Required	330.401(d)(1)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
549	Part III	Submit for suspension demonstration, contaminant fate & transport predictions	Required	330.401(d)(2)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
550	Part III	Provide for new solid waste management units a documented certification signed by a qualified groundwater scientist that the facility is in compliance with the groundwater monitoring requirements	Required	330.401(e)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
551	Part III	Acknowledge that groundwater monitoring must be conducted throughout the active life and any required post-closure care period	Acknowledgement	330.401(f)	Yes	Part III, Attachment 11, Section 1.2	Groundwater Sampling & Analysis Plan
552	Part III	Submit a GW monitoring system with sufficient no. of wells, location, depth to yield representative GW samples	Required	330.403(a)	Yes	Part III, Attachment 11, Appendix A, Item 1	Groundwater Sampling & Analysis Plan
553	Part III	Provide information on background wells used to determine background GW quality	Required	330.403(a)(1)	Yes	Part III, Attachment 11, Section 3.1	Groundwater Sampling & Analysis Plan
554	Part III	Provide/identify the point of compliance wells not >600 ft. unless modeling demonstration approved	Required	330.403(a)(2)	Yes	Part III, Attachment 11, Section 1.2 & Appendix A, Item 1	Groundwater Sampling & Analysis Plan
555	Part III	Provide, if a multi-unit GW monitoring system is proposed; the number, spacing, and orientation of the solid waste management units within an overall waste management area; hydrogeologic setting; site history; engineering design of the units; and type of waste accepted at the units.	Required	330.403(b)(1)-(5)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
556	Part III	The executive director may approve an alternative design for a groundwater monitoring system that uses other means in conjunction with monitoring wells	Informational	330.403(c)			Groundwater Sampling & Analysis Plan
557	Part III	Acknowledge that all parts of a groundwater monitoring system shall be operated and maintained so that they perform at least to design specifications	Acknowledgement	330.403(d)	Yes	Part III, Attachment 11, Section 1.2	Groundwater Sampling & Analysis Plan

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558	Part III	Provide a design certified by a qualified groundwater scientist.	Required	330.403(e)	Yes	Part III, Attachment 11, Appendix A, Item 2	Groundwater Sampling & Analysis Plan
559	Part III	Provide the design of the monitoring system to be based on site-specific technical information	Required	330.403(e)(1)	Yes	Part III, Attachment 11, Section 1.2	Groundwater Sampling & Analysis Plan
560	Part III	Multi-dimensional fate & transport model may be used to support sampling point locations	Informational	330.403(e)(2)			Groundwater Sampling & Analysis Plan
561	Part III	Provide if a multi-dimensional model is proposed, documentation of the model's ability to represent GW flow & contaminant transport	Required	330.403(e)(2)(A)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
562	Part III	Provide if a multi-dimensional model is proposed, a sound set of equations based on accepted theory	Required	330.403(e)(2)(B)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
563	Part III	Provide if a multi-dimensional model is proposed, a numerical solution methods based on mathematical principals with verification & checking techniques	Required	330.403(e)(2)(C)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
564	Part III	Provide if a multi-dimensional model is proposed, a model calibrated against site-specific field data	Required	330.403(e)(2)(D)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
565	Part III	Provide if a multi-dimensional model is proposed, a sensitivity analysis for major parameters	Required	330.403(e)(2)(E)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
566	Part III	Provide if a multi-dimensional model is proposed, mass-balance calculations	Required	330.403(e)(2)(F)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
567	Part III	Provide if a multi-dimensional model is proposed, a model based on field or lab measurements that document validity of parameter values	Required	330.403(e)(2)(G)	Yes	Not Applicable	Groundwater Sampling & Analysis Plan
568	Part III	Acknowledge that the owner or operator shall promptly notify the executive director, and any local pollution agency with jurisdiction that has requested to be notified, in writing of changes in facility construction or operation or changes in adjacent property that affect or are likely to affect the direction and rate of groundwater flow and the potential for detecting groundwater contamination from a solid waste management unit and that may require the installation of additional monitoring wells or sampling points and that such additional wells or sampling points require a modification of the site development plan.	Acknowledgement	330.403(e)(3)	Yes	Part III, Attachment 11, Section 1.2	Groundwater Sampling & Analysis Plan
569	Part III	Provide sampling & analysis procedures that ensure accurate results of GW quality	Required	330.405(a)	Yes	Part III, Attachment 11, Sections 5.0, 6.0, 7.0, 8.0 & 9.0	Groundwater Sampling & Analysis Plan
570	Part III	Submit GW sampling & analysis plan prior to sampling, place a copy of the approved plan in the operating record	Required	330.405(b)	Yes	GW sampling & analysis plan is submitted in Part III, Attachment 11	Groundwater Sampling & Analysis Plan
571	Part III	Provide procedures for sample collection, preservation & shipping, analytical procedures, COC control, & QA/QC	Required	330.405(b)(1)	Yes	Part III, Attachment 11, Sections 5.0, 6.0, 7.0 & 8.0	Groundwater Sampling & Analysis Plan
572	Part III	Provide for GW elevations measured at each point, sample from high to low elevations unless contaminated, sample un-contaminated points prior to contaminated points	Required	330.405(b)(2)	Yes	Part III, Attachment 11, Section 5.4	Groundwater Sampling & Analysis Plan
573	Part III	Provide sampling & analysis methods appropriate for groundwater sampling	Required	330.405(b)(3)	Yes	Part III, Attachment 11, Section 5.0	Groundwater Sampling & Analysis Plan

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574	Part III	Provide for Type I landfills - collection of samples necessary to establish GW quality data consistent with statistical procedures for detection, assessment, corrective measures	Required	330.405(b)(3)(A)	Yes	Part III, Attachment 11, Sections 5.0, 9.0, 10.0, 11.0 & 12.0	Groundwater Sampling & Analysis Plan
575	Part III	Provide for no field filtered GW samples prior to analysis	Required	330.405(c)	Yes	Part III, Attachment 11, Section 5.10	Groundwater Sampling & Analysis Plan
576	Part III	Provide and establish background GW quality for detection parameters	Required	330.405(d)	Yes	Part III, Attachment 11, Section 3.1	Groundwater Sampling & Analysis Plan
577	Part III	Provide 1 or more statistical methods to evaluate detection/assessment parameters	Required	330.405(e)	Yes	Part III, Attachment 11, Appendix B, Item 3	Groundwater Sampling & Analysis Plan
578	Part III	Provide parametric analysis of variance followed by multiple comparison procedures, contrast between well's mean & background mean	Required	330.405(e)(1)	Yes	Part III, Attachment 11, Appendix B, Item 3	Groundwater Sampling & Analysis Plan
579	Part III	Provide analysis of variance based on ranks followed by multiple comparison procedures, contrast between well's median & background median	Required	330.405(e)(2)	Yes	Part III, Attachment 11, Appendix B, Item 3	Groundwater Sampling & Analysis Plan
580	Part III	Provide tolerance or prediction interval procedures	Required	330.405(e)(3)	Yes	Part III, Attachment 11, Appendix B, Item 3 & Section 9	Groundwater Sampling & Analysis Plan
581	Part III	Provide a control chart approach	Required	330.405(e)(4)	Yes	Part III, Attachment 11, Appendix B, Item 3 & Section 9	Groundwater Sampling & Analysis Plan
582	Part III	Provide for any statistical method to meet the standards listed under 330.405(f)	Required	330.405(e)(5)	Yes	Part III, Attachment 11, Appendix B, Item 3 & Section 9	Groundwater Sampling & Analysis Plan
583	Part III	Provide the statistical method chosen under 330.405(e) appropriate for the distribution	Required	330.405(f)(-1)	Yes	Part III, Attachment 11, Appendix B, Item 3 & Section 9	Groundwater Sampling & Analysis Plan
584	Part III	Provide, if individual sampling point comparison to background or GW protection standard is used, for the test to be done at Type I error level not <0.01.	Required	330.405(f)(2)	Yes	Part III, Attachment 11, Appendix B, Item 3	Groundwater Sampling & Analysis Plan
585	Part III	Provide, If control chart is used, the specific type of chart & its parameters must be protective, consider no. of samples, distribution, & concentration range	Required	330.405(f)(3)	Yes	Part III, Attachment 11, Appendix B, Item 3	Groundwater Sampling & Analysis Plan
586	Part III	Provide the tolerance or prediction intervals used	Required	330.405(f)(4)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
587	Part III	Provide that the statistical method used accounts for data below detection	Required	330.405(f)(5)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
588	Part III	Provide for the statistical method to control or correct for seasonal, spatial variability & temporal correlation in data	Required	330.405(f)(6)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
589	Part III	Indicate that assessment monitoring is required whenever the owner or operator determines there has been a statistically significant increase over background for one or more of the constituents listed in §330.419 of this title	Required	330.409(a)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
590	Part III	Indicate that within 90 days of determining that a statistically significant increase has occurred in accordance with §330.407(b) and not less than annually thereafter, the owner or operator shall sample and analyze the groundwater monitoring system for the full set of constituents listed in Appendix II to 40 Code of Federal Regulations (CFR) Part 258	Required	330.409(b)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan

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591	Part III	Indicate that a minimum of one sample shall be collected from each point of compliance well and analyzed for the 40 CFR Part 258, Appendix II constituents during each sampling event.	Required	330.409(b)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
592	Part III	Indicate that for any new constituent(s) detected in the point of compliance wells as a result of the complete Appendix II analysis, a minimum of four statistically independent samples from each background well shall be collected and analyzed to establish background levels for the additional constituent(s).	Required	330.409(b)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
593	Part III	Indicate that after sampling all point of compliance wells for Appendix II constituents, the executive director may specify an appropriate subset of wells to be sampled and analyzed for the Appendix II constituents during assessment monitoring and may delete any of the Appendix II constituents for a municipal solid waste management unit if the owner or operator can document that the removed constituents are not reasonably expected to be in or derived from the waste contained in the unit	Required	330.409(b)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
594	Part III	Provide, if the ED specifies, an alternative frequency for sampling Appendix II constituents	Required	330.409(c)(1)-(5)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
595	Part III	Indicate that Appendix II constituents results will be submitted within 60 days after each sampling event	Required	330.409(d)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
596	Part III	Indicate that within 90 days of reporting Appendix II results & semiannually thereafter, all wells will be resampled for Appendix I & any new constituent detected from Appendix II, and that the results of resampling will be submitted within 60 days after each sampling event	Required	330.409(d)(1)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
597	Part III	Provide background concentrations for additional Appendix II constituents detected	Required	330.409(d)(2)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
598	Part III	Provide groundwater protection standards for all constituents detected in point of compliance wells	Required	330.409(d)(3)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
599	Part III	Provide notification to ED, If concentrations are at or below background for 2 consecutive sampling events, and return to detection monitoring	Required	330.409(e)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
600	Part III	Continue assessment monitoring If concentrations are above background but below GW protection standards	Required	330.409(f)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
601	Part III	Indicate that no later than 60 days after each sampling event a determination whether any 40 CFR Part 258, Appendix II constituents were detected at statistically significant levels above the groundwater protection standards. If exceeded the ED & local government will be notified within 7 days of determination	Required	330.409(g)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
602	Part III	Provide the characterization and extent of release by installing additional wells as necessary	Required	330.409(g)(1)-(A)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan

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603	Part III	Provide for the installation of wells adjacent to the well with exceedance before next sampling event & sample new well for Appendix I & additional constituents from Appendix II	Required	330.409(g)(1)(B)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
604	Part III	Provide Notification to all persons that own or occupy the land that overlies any part of the contamination plume	Required	330.409(g)(1)(C)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
605	Part III	Provide an assessment of corrective measures within 90 days of notice to ED	Required	330.409(g)(1)(D)	Yes	Part III, Attachment 11, Section 11.0	Groundwater Sampling & Analysis Plan
606	Part III	Notify ED within 14 days of exceedance determination and intent to submit an Alternate Source Demonstration (ASD)	Required	330.409(g)(2)-(A)	Yes	Part III, Attachment 11, Section 9.4	Groundwater Sampling & Analysis Plan
607	Part III	Submit certified ASD report within 90 days of exceedance determination	Required	330.409(g)(2)(B)	Yes	Part III, Attachment 11, Section 9.4	Groundwater Sampling & Analysis Plan
608	Part III	Provide for no filtering of samples for ASD, ED may require leachate analyses to support ASD and continue assessment monitoring program	Required	330.409(g)(2)(C)-(D)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
609	Part III	Provide for assessment monitoring IF ASD is accepted by ED, otherwise implement assessment of corrective measures	Required	330.409(g)(3)	Yes	Part III, Attachment 11, Sections 10.0 & 11.0	Groundwater Sampling & Analysis Plan
610	Part III	Provide for a permit amendment or modification if assessment monitoring program is no longer compliant with 330.409,	Required	330.409(g)(4)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
611	Part III	Provide for/establish GW protection standards for Appendix II constituents in the point of compliance monitoring wells	Required	330.409(h)	Yes	Part III, Attachment 11, Sections 10.0 & 11.0	Groundwater Sampling & Analysis Plan
612	Part III	Provide for GW protection standard for constituents for which a maximum (MCL) has been promulgated under 40 CFR Part 141, Safe Drinking Water Act Maximum contaminant level (MCL)	Required	330.409(h)(1)	Yes	Part III, Attachment 11, Sections 10.0 & 11.0	Groundwater Sampling & Analysis Plan
613	Part III	Provide GW protection standard for constituents for which no MCL promulgated	Required	330.409(h)(2)	Yes	Part III, Attachment 11, Sections 10.0 & 11.0	Groundwater Sampling & Analysis Plan
614	Part III	Provide GW protection standard for background constituents higher than MCL or health-based level	Required	330.409(h)(3)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
615	Part III	Acknowledge that the ED may establish alternative GW protection standards in accordance with 30 TAC §330.409(i)	Acknowledgement	330.409(i)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
616	Part III	Submit annual assessment monitoring report within 60 days of 2nd semiannual sampling event	Required	330.409(k)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
617	Part III	Submit a statement of any statistically significant exceedances of GW protection standards & the status of the exceedance	Required	330.409(k)(1)	Yes	Part III, Attachment 11, Section 10.0	Groundwater Sampling & Analysis Plan
618	Part III	Submit GW monitoring results, summary of background, statistical calculations, graphs & drawings	Required	330.409(k)(2)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
619	Part III	Submit GW flow rate & direction based on data from sampling events, supporting documentation	Required	330.409(k)(3)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
620	Part III	Submit a Piezometric water level contour map and supporting documentation	Required	330.409(k)(4)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
621	Part III	Provide recommendations for any changes	Required	330.409(k)(5)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
622	Part III	Submit Any other information required by ED	Required if Requested	330.409(k)(6)	Yes	Part III, Attachment 11, Section 9.5	Groundwater Sampling & Analysis Plan
623	Part III	Provide detection monitoring for constituents listed in Appendix I, 40 CFR Part 258	Required	330.419(a)	Yes	Part III, Attachment 11, Section 3.2 & Appendix A, Table 1	Groundwater Sampling & Analysis Plan

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624	Part III	ED may delete constituents from Appendix I if constituent not likely to be derived from waste disposed of in the landfill	Informational	330.419(b)				Groundwater Sampling & Analysis Plan
625	Part III	ED may establish alternative inorganic list, add organic or inorganic constituents based on consideration of the following	Informational	330.419(c)				Groundwater Sampling & Analysis Plan
626	Part III	Types, concentrations, quantities, persistence of waste constituents	Informational	330.419(c)(1)				Groundwater Sampling & Analysis Plan
627	Part III	Mobility, stability, persistence of constituents & their reaction products	Informational	330.419(c)(2)				Groundwater Sampling & Analysis Plan
628	Part III	Detectability of indicator & waste constituents & reaction products in groundwater	Informational	330.419(c)(3)				Groundwater Sampling & Analysis Plan
629	Part III	Concentrations & coefficients of variability of parameters or constituents in the groundwater background	Informational	330.419(c)(4)				Groundwater Sampling & Analysis Plan
630	Part III	Provide for the construction of monitoring wells to provide integrity, representative samples, prevent migration of water in bore hole, well construction must follow prescribed specifications	Required	330.421(a)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
631	Part III	Provide that wells to be drilled by a qualified TX licensed drill & supervised by PG or PE	Required	330.421(a)(1)(A)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
632	Part III	Provide a drilling method that shall not introduce contaminants. If fluid used in drilling, then use clean city water unless approved by ED. If water used provide analysis	Required	330.421(a)(1)(B)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
633	Part III	Provide borings to be at least 4 in. larger than casing. If boring in rock, a smaller annulus may be approved by the executive director	Required	330.421(a)(1)(C)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
634	Part III	Provide a log of boring, signed, sealed & dated by PG or PE	Required	330.421(a)(1)(D)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
635	Part III	Provide designs for casing, screen, filter pack, & seal	Required	330.421(a)(2)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
636	Part III	Provide casing specifications; the casing should be 2 to 4 inch schedule 40 or 80 PVC, and must meet other requirements of 30 TAC §330.421(a)(2)(A)	Required	330.421(a)(2)(A)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
637	Part III	Provide screen specifications that are compatible with the casing and does not include glue, solvents, field-cut slots or filter cloths	Required	330.421(a)(2)(B)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
638	Part III	Provide filter pack specifications - clean silica sand or glass, 1 to 4 ft. above screen, etc.	Required	330.421(a)(2)(C)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
639	Part III	Provide annular seal specifications - 2 ft. thick, placed in zone of saturation, etc.	Required	330.421(a)(2)(D)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
640	Part III	Provide casing seal specifications - placed on top of annular seal, bentonite grout or cement-bentonite mix, etc.	Required	330.421(a)(2)(E)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
641	Part III	Provide specifications for the concrete pad to be placed on top of the casing seal, including the type of structural concrete used from casing seal to surface	Required	330.421(a)(3)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
642	Part III	Provide protective collar specifications - steel collar around casing, set 1 ft. into surface pad, etc.	Required	330.421(a)(4)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan
643	Part III	Provide protective barrier specifications - 3 to 4 6-12 in. diameter pipes set in concrete, other types of barriers may be approved by ED	Required	330.421(a)(5)	Yes	Part III, Attachment 11, Section 3.2		Groundwater Sampling & Analysis Plan

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644	Part III	Acknowledge that when wells are installed in unusual conditions, all aspects must be approved in writing by the ED	Acknowledgement	330.421(b)	Yes	Part III, Attachment 11, Section 3.2	Groundwater Sampling & Analysis Plan
645	Part III	Provide the removal of artifacts once monitoring well is installed and open water-bearing zones for max flow into well	Required	330.421(c)	Yes	Part III, Attachment 11, Section 3.2	Groundwater Sampling & Analysis Plan
646	Part III	Identify well location & elevation surveyed, permanently marked	Required	330.421(d)	Yes	Part III, Attachment 11, Section 3.2	Groundwater Sampling & Analysis Plan
647	Part III	Provide a well installation report to be submitted within 60 days of completion including boring log, description of development procedures, any sample data & sit map showing location	Required	330.421(e)	Yes	Part III, Attachment 11, Section 3.2	Groundwater Sampling & Analysis Plan
648	Part III	Provide a Landfill Gas Management Plan to comply with Subchapter I	Required	330.63(g)	Yes	Part III, Attachment 14	Landfill Gas Management Plan
649	Part III	Submit information to specify that methane concentration cannot exceed 1.25% by volume in facility structures	Required	330.371(a)(1)	Yes	Part III, Attachment 14, Section 1.0	Landfill Gas Management Plan
650	Part III	Submit information to specify that methane concentrations cannot exceed 5% by volume at permitted boundary wells, probes, subsurface soils, or other matrices	Required	330.371(a)(2)	Yes	Part III, Attachment 14, Section 1.0	Landfill Gas Management Plan
651	Part III	Provide a plan to implement routine methane monitoring where the type and frequency of monitoring is based on soil, hydrogeologic, and hydraulic conditions	Required	330.371(b)(1)(A)-(C)	Yes	Part III, Attachment 14, Sections 4.0 & 4.2	Landfill Gas Management Plan
652	Part III	Provide a plan to implement routine methane monitoring where the type and frequency of monitoring is based on locations of facility structures, property boundaries and utility or pipelines that cross the facility boundary	Required	330.371(b)(1)(D)&(E)	Yes	Part III, Attachment 14, Sections 4.0 & 4.2	Landfill Gas Management Plan
653	Part III	Indicate that methane monitoring will be conducted, at a minimum, quarterly.	Required	330.371(b)(2)	Yes	Part III, Attachment 14, Section 4.2	Landfill Gas Management Plan
654	Part III	Provide in the plan the necessary steps to take if methane concentrations exceed 1.25% in structures and/or 5% in boundary matrices; including notification to the ED, local officials, emergency officials, & the public	Required	330.371(c)-(1)	Yes	Part III, Attachment 14, Section 6.2	Landfill Gas Management Plan
656	Part III	Indicate that a remediation plan will implemented within 60 days of detection that describes the nature, extent of the problem, and the proposed remedy, The ED may require additional remedial measures	Required	330.371(c)(3)	Yes	Part III, Attachment 14, Section 6.2	Landfill Gas Management Plan
657	Part III	Indicate that the ED may establish alternative schedule for monitoring & exceedance actions	Required	330.371(d)	Yes	Part III, Attachment 14, Section 6.2	Landfill Gas Management Plan
658	Part III	Provide for continuing methane monitoring and control for 30 yrs. after certification of final closure for Type I & IAE facilities. & 5 yrs. for Type IV & IVAE. Gas monitoring may be reduce with an approved no gas migration demonstration	Required	330.371(e)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
659	Part III	Provide for continuing methane monitoring and control for 30 yrs. after certification of final closure for Type I & IAE facilities.	Required	330.371(e)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
660	Part III	Provide for continuing methane monitoring and control for 5 yrs. after certification of final closure for Type IV & IVAE facilities.	Required	330.371(e)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan

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661	Part III	Indicate that information may be submitted to the ED, to reduce gas monitoring and control. The information must demonstrate no potential for gas migration beyond the property boundary or into on-site structures.	Required	330.371(e)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
662	Part III	Provide for gas monitoring & control to be revised & maintained as needed; post-closure land use shall not interfere with the gas monitoring system and all utility trenches crossing the facility shall be vented & monitored	Required	330.371(f)	Yes	Part III, Attachment 14, Sections 4.0 & 4.1.3	Landfill Gas Management Plan
663	Part III	Provide a description of how gases be managed & controlled	Required	330.371(g)-(1)	Yes	Part III, Attachment 14, Section 8.0	Landfill Gas Management Plan
664	Part III	Provide a description of the proposed system, installation procedures, installation timeline, monitoring & maintenance procedures	Required	330.371(g)(2)	Yes	Part III, Attachment 14, Section 8.0	Landfill Gas Management Plan
665	Part III	Provide a backup plan for breakdowns	Required	330.371(g)(3)	Yes	Part III, Attachment 14, Section 8.0	Landfill Gas Management Plan
666	Part III	Installation of an initial perimeter monitoring network at Type IAE and Type IVAE and larger landfills may consist of portable equipment and probes provided there are no habitable structures within 3000 feet of the waste placement boundary.	Informational	330.371(h)(1)			Landfill Gas Management Plan
667	Part III	Indicate that a permanent gas monitoring system will be installed if test results show the presence of methane gas above a concentration of .5% by volume	Required	330.371(h)(1)	Yes	Part III, Attachment 14, Sections 4.0 & 8.0	Landfill Gas Management Plan
668	Part III	Provide a permanent gas monitoring system at Type I and Type IV facilities	Required	330.371(h)(2)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
669	Part III	Provide a monitoring network design to monitor on-site structures, and any other areas that have potential gas buildup	Required	330.371(i)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
670	Part III	Provide for all monitoring probes and on-site structures to be sampled for methane during the monitoring period	Required	330.371(j)	Yes	Part III, Attachment 14, Section 4.0	Landfill Gas Management Plan
676	Part III	Provide a demonstration that above ground disposal area final cover slopes shall not exceed 25%. Topmost portion of final cover shall be between 2% & 6%.	Required	330.453(c)	Yes	Part III, Attachment 12, Section III.B, Table 6	Closure Plan
677	Part III	Provide a demonstration that a design with an excess of 25% final cover slopes may be submitted. The design must demonstrate the management of drainage, such as control flumes, diversion terraces, spillways or other acceptable methods	Required if Requested	330.453(c)	Yes	Not Applicable	Closure Plan
678	Part III	An alternative final cover design may be submitted to demonstrate an equivalent reduction in infiltration as the clayey soil cover infiltration layer specified under 330.453(a).	Required if Requested	330.453(d)(1)	Yes	Part III, Attachment 5	Closure Plan
679	Part III	An alternative final cover design may be submitted to demonstrate approved alternative final cover that achieves equivalent protection from wind & water erosion	Required if Requested	330.453(d)(2)	Yes	Part III, Attachment 5	Closure Plan
680	Part III	Submit information to comply with post-closure care once closure of a Type IV facility is complete	Required	330.453(f)	Yes	Not Applicable	Closure Plan

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681	Part III	Provide designs for a final cover system consisting of not less than two feet of soil cover.	Required	330.457(a)	Yes	Part III, Attachment 12, Section III.A, Table 5	Closure Plan
682	Part III	For landfills with a synthetic bottom liner, provide a final cover system design that includes a synthetic membrane with a permeability less than or equal to the bottom	Required	330.457(a)(1)	Yes	Part III, Attachment 12, Section III.A, Table 5	Closure Plan
683	Part III	Provide designs for a synthetic liner with minimum thickness of 20 mils, or 60 mils in the case of high-density polyethylene, to ensure proper seaming	Required	330.457(a)(1)	Yes	Part III, Attachment 12, Section III.A, Table 5	Closure Plan
684	Part III	For landfills with no synthetic bottom liner, provide a final cover system design that includes a minimum 18-inch thick clay-rich soil cover layer with a coefficient of permeability less than or equal to any constructed bottom liner or natural subsoil present. The coefficient of permeability shall not exceed 1×10^{-5} cm/sec	Required	330.457(a)(2)	Yes	Not Applicable	Closure Plan
685	Part III	Provide designs for an erosion layer that consist of at least six inches of soil capable of sustaining native plant growth and that will be seeded or sodded immediately following the application of the final cover	Required	330.457(a)(3)	Yes	Part III, Attachment 12, Section III.A, Table 5	Closure Plan
686	Part III	Provide designs for cover of a Class 1 cell that consist of 4ft. clay with permeability not $> 1 \times 10^{-7}$ overlain by 18in. Topsoil. If waste is to be placed above Class 1 cell, it must first be covered with a four-foot layer of compacted clay-rich soil and must meet the requirements of 330.457 and include a flexible membrane component	Required if Requested	330.457(b)	Yes	Not Applicable	Closure Plan
687	Part III	Provide for permeability quality control testing of the 18-inch cover at no less than 1 test/acre and submit data to ED	Required	330.457(c)	Yes	Not Applicable	Closure Plan
688	Part III	Demonstrate that the alternative final cover will achieve equivalent reduction in infiltration as the clay-rich soil cover layer specified under 330.457(a)(1) or (2)	Required if Requested	330.457(d)(1)	Yes	Part III, Attachment 5	Closure Plan
689	Part III	Demonstrate that the alternative final cover will provide equivalent wind & water erosion protection as the erosion layer specified in 330.457(a)(3)	Required if Requested	330.457(d)(2)	Yes	Part III, Attachment 5	Closure Plan
690	Part III	Submit a written closure plan describing the steps necessary to close units at any time and a description of the final cover design, methods, and procedures to install the final cover	Required	330.457(e)(1)	Yes	Part III, Attachment 12	Closure Plan
691	Part III	Provide an estimate of the largest area needing final cover	Required	330.457(e)(2)	Yes	Part III, Attachment 12, Section IV.A, Table 8	Closure Plan
692	Part III	Provide an estimate of max volume of waste ever on-site	Required	330.457(e)(3)	Yes	Part III, Attachment 12, Section II.B, Table 3	Closure Plan
693	Part III	Provide a schedule for completing closure activities	Required	330.457(e)(4)	Yes	Part III, Attachment 12, Appendix 1	Closure Plan
694	Part III	Provide a final contour map - depicting proposed final contours, top & side slopes, surface drainage features, and 100yr flood protection	Required	330.457(e)(5)	Yes	Part III, Attachment 1, Figure III.1-4	Closure Plan
695	Part III	Provide the specifics for the implementation of closure plan and place a copy of the plan in the operating record by the initial receipt of waste	Required	330.457(f)(1)	Yes	Part III, Attachment 12, Section V.A.12	Closure Plan

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696	Part III	Notify the ED in writing of the intent to close the facility, 45 days prior to initiation of closure activities	Required	330.457(f)(2)	Yes	Part III, Attachment 12, Section V.A.1	Closure Plan
697	Part III	Specify in the closure plan that the operator will begin closure no later than 30 days after final receipt of waste or no later than one year if the unit has remaining capacity and additional waste may be received	Required	330.457(f)(3)	Yes	Part III, Attachment 12, Section V.A.2	Closure Plan
698	Part III	Provide for closure activities to be completed within 180 days of initiation	Required	330.457(f)(4)	Yes	Part III, Attachment 12, Section V.A.8 & V.A.13	Closure Plan
699	Part III	Provide for post-closure care requirements following completion of closure. Submit PE certification of closure by registered mail with supporting documentation.	Required	330.457(f)(5)	Yes	Part III, Attachment 12, Section V.A.9	Closure Plan
700	Part III	Acknowledge that following receipt of closure documents and the inspection report by the TCEQ region, the ED may acknowledge termination of operation & closure & deem the facility properly closed	Acknowledgement	330.457(f)(6)	Yes	Part III, Attachment 12, Section V.A.10	Closure Plan
701	Part III	Submit a certified copy within 10 days after landfill unit closure, of the "Affidavit to the Public". The Owner and Operator shall record a certified notation to the deed that the land has been used as a landfill facility	Required	330.457(g)	Yes	Part III, Attachment 12, Section V.C.4	Closure Plan
702	Part III	Indicate that notice of closure will be published in the newspaper of largest circulation 90 days prior to the initiation of a final facility closure. The notice shall provide the name, address, and physical location of the facility; the TCEQ authorization number; and the last date of intended receipt of waste.	Required	330.461(a)	Yes	Part III, Attachment 12, Section V.C.1	Closure Plan
704	Part III	Acknowledge that least one closure sign will be posted at every point of access and notify all persons who utilize the facility of the date of closure and the prohibition against further receipt of waste materials.	Acknowledgement	330.461(b)	Yes	Part III, Attachment 12, Section V.C.3	Closure Plan
710	Part III	Submit a closure plan for Storage and Processing units to remove all waste, waste residues, and any recovered materials. Units shall be dismantled and removed off-site or decontaminated.	Required	330.459(a)	Yes	Part III, Attachment 12, Section V.B	Closure Plan For Processing Facilities
711	Part III	Provide plans for the evacuation of all material on-site to an authorized facility and the disinfecting of all contaminated water handling units, tipping areas, processing and post-processing areas (as applicable)	Required	330.459(b)	Yes	Part III, Attachment 12, Section V.B	Closure Plan For Processing Facilities
712	Part III	Acknowledge that if there is evidence of a release, the ED may require an investigation, assessment, and or corrective action.	Acknowledgement	330.459(c)	Yes	Part III, Attachment 12, Section V.B	Closure Plan For Processing Facilities
713	Part III	Submit a plan (if combustible material is stored outdoors) for closure of a recycling facility that includes collecting processed and unprocessed materials, and transporting the materials to an authorized facility for disposition	Required	330.459(d)(1)	Yes	Not Applicable	Closure Plan For Processing Facilities
714	Part III	Provide for the closure plan to be implemented (if combustible material is stored outdoors) and completed within 180 days following the most recent acceptance of processed or unprocessed materials	Required	330.459(d)(2)	Yes	Not Applicable	Closure Plan For Processing Facilities

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715	Part III	Submit a Post-Closure Plan that includes a PE certification of closure, and specify that the owner or operator shall retain the right of entry to and maintain all rights-of-way in order to conduct periodic inspections for a minimum 5 yrs. after certification of closure.	Required	330.63(i)	Yes	Part III, Attachment 13	Post-Closure Plan
716	Part III	Provide for maintenance and control of cover material, erosion control, vegetative growth, leachate or methane migration, and subsidence or ponding of water on the unit. If any of these problems persist for longer than the first five years of post-closure care, the owner or operator shall be responsible for their correction.	Required	330.463(a)(1)	Yes	Part III, Attachment 13, Section IV.C	Post-Closure Plan
717	Part III	Acknowledge that the ED may reduce the post-closure period for the unit if all wastes and waste residues have been removed during closure.	Acknowledgement	330.463(a)(1)	Yes	Part III, Attachment 13, Section IV.C.12	Post-Closure Plan
718	Part III	Provide for continued monitoring programs, i.e., groundwater monitoring, resistivity surveys, methane monitoring, etc.; during the post-closure care period.	Required	330.463(a)(2)	Yes	Part III, Attachment 13, Section IV.C.8 - IV.C.10	Post-Closure Plan
719	Part III	Acknowledge that the ED may require an investigation into the nature and extent of any release from the facility and an assessment to correct an impact to groundwater.	Acknowledgement	330.463(a)(3)	Yes	Part III, Attachment 13, Section IV.C.11	Post-Closure Plan
720	Part III	Provide for 30-year post-closure care after PE certification of closure.	Required	330.463(b)(1)	Yes	Part III, Attachment 13, Section IV.C.2	Post-Closure Plan
721	Part III	Provide for right of entry and the maintenance of all rights-of-way, conduct site maintenance and/or remediation, maintain final cover, vegetation, drainage & correct as needed.	Required	330.463(b)(1)(A)	Yes	Part III, Attachment 13, Section IV.C.3	Post-Closure Plan
722	Part III	Provide maintenance and operation of the leachate collection system.	Required	330.463(b)(1)(B)	Yes	Part III, Attachment 13, Section IV.C.9	Post-Closure Plan
723	Part III	Provide for maintenance and monitoring of the groundwater monitoring system per requirements of Subchapter I.	Required	330.463(b)(1)(C)	Yes	Part III, Attachment 13, Section IV.C.10.a	Post-Closure Plan
724	Part III	Provide for maintenance and monitoring of gas system per requirements of Subchapter I.	Required	330.463(b)(1)(D)	Yes	Part III, Attachment 13, Section IV.C.10.b	Post-Closure Plan
725	Part III	Provide for continued earth electrical resistivity surveys per site development plan.	Required	330.463(b)(1)(E)	Yes	Not Applicable	Post-Closure Plan
726	Part III	Place a copy of the post-closure plan in the operating record by initial receipt of waste.	Required	330.463(b)(3)	Yes	Part III, Attachment 13, Section V	Post-Closure Plan
727	Part III	Submit a description of the monitoring and maintenance activities required and the frequency at which these activities will be performed.	Required	330.463(b)(3)(A)	Yes	Part III, Attachment 13, Section IV.C.8 - IV.C.10	Post-Closure Plan
728	Part III	Provide the name, address, & phone number of responsible person.	Required	330.463(b)(3)(B)	Yes	Part III, Attachment 13, Section II	Post-Closure Plan
729	Part III	Provide a description of the planned use of closed unit during the post closure period.	Required	330.463(b)(3)(C)	Yes	Part III, Attachment 13, Section VI	Post-Closure Plan
730	Part III	Provide a detailed written estimate of the cost of post-closure care maintenance and any corrective action as described in the post-closure care plan or required by the ED per Subchapter I.	Required	330.463(b)(3)(D)	Yes	Part III, Attachment 13, Section VII; Part III, Attachment 8	Post-Closure Plan
731	Part III	Indicate that a certification of completion of post-closure care signed by a PE will be submitted at the end of the post-closure care period.	Required	330.465(a)	Yes	Part III, Attachment 13, Section VIII	Post-Closure Plan

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739	Part III	Provide a closure cost estimate that equals the costs of closure of the facility, including disposition of the maximum inventories of all waste; processed and unprocessed combustible materials stored outdoors on site during the life of the facility.	Required	330.505(a)(2)(A)	Yes	Part III, Section 16; Part III, Attachment 8	Closure Cost Estimates
740	Part III	Provide a closure cost estimate that is based on the costs of hiring a third party that is not affiliated with the owner or operator; and is based on a per cubic yard and/or short ton measure for collection and disposition costs.	Required	330.505(a)(2)(B-C)	Yes	Part III, Section 16; Part III, Attachment 8	Closure Cost Estimates
741	Part III	Provide for the closure cost estimate & financial assurance to be increased if conditions change which increase the maximum cost of closure at any time during the active life of the facility	Required	330.505(a)(3)	Yes	Part III, Section 16; Part III, Attachment 8	Closure Cost Estimates
742	Part III	A reduction in the closure cost estimate and the amount of financial assurance may be approved if the cost estimate exceeds the maximum cost of closure at any time during the remaining life of the facility.	Required if Requested	330.505(a)(4)	Yes	Not Applicable	Closure Cost Estimates
743	Part III	Provide for the maintenance of financial assurance for Recycling facilities that store combustible materials outdoors or that pose a risk	Required	330.505(b)(1)	Yes	Part III, Section 16; Part III, Attachment 8	Closure Cost Estimates
744	Part III	Provide for the maintenance of financial assurance until closure is approved by ED.	Required	330.505(b)(2)	Yes	Part III, Section 16; Part III, Attachment 8	Closure Cost Estimates
745	Part III	Submit a Post-Closure Care Cost Estimates for the cost of hiring a third party to conduct post-closure care activities. The cost estimate shall account for the total costs of conducting post closure care for the largest area that could possibly require post-closure care in the year to follow over the entire post closure care period.	Required	330.507(a)	Yes	Part III, Section 16; Part III, Attachment 8	Post-Closure Care Cost Estimates for Landfills
746	Part III	Submit an increase in the post-closure care cost estimate and the amount of financial assurance if changes in the post-closure care plan or the unit conditions increase the maximum costs of post-closure care	Required if Requested	330.507(a)(1)	Yes	Not Applicable	Post-Closure Care Cost Estimates for Landfills
747	Part III	Submit a reduction in the post-closure care cost estimate and the amount of financial assurance if the cost estimate exceeds the maximum costs of post-closure care remaining and a notice is provided to the ED of the detailed justification for the reduction of the cost estimate and the amount of financial assurance as a permit modification.	Required	330.507(a)(2)	Yes	Part III, Attachment 8	Post-Closure Care Cost Estimates for Landfills
748	Part III	Implement a corrective action program and a detailed written cost estimate of the cost of hiring a third party to perform the corrective action program. The corrective action cost estimate shall account for the total costs of corrective action activities	Required if Requested	330.509(a)	Yes	Not Applicable	Corrective Action Cost Estimate
749	Part III	The corrective action cost estimate and the amount of financial assurance shall be increased if changes in the corrective action program or unit conditions increase the maximum costs of corrective action	Required if Requested	330.509(a)(1)	Yes	Not Applicable	Corrective Action Cost Estimate

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750	Part III	A reduction in the cost estimate and the amount of financial assurance for corrective action may be approved if the cost estimate exceeds the maximum remaining costs of corrective action at any time during the remaining corrective action period	Required if Requested	330.509(a)(2)	Yes	Not Applicable		Corrective Action Cost Estimate
751	Part III	Provide financial assurance for the costs of the most recent corrective action program. Continuous financial assurance coverage for each corrective action program shall be provided until the facility is officially released in writing by the ED	Required if Requested	330.509(b)	Yes	Not Applicable		Corrective Action Cost Estimate
752	Part III	Provide financial assurance per Chapter 37, Subchapter R	Required	330.503(b)	Yes	Part III, Section 12; Part III, Attachment 9		Financial Assurance
753	Part III	Provide for financial assurance for post-closure cost. Continuous financial assurance coverage for post-closure care shall be provided	Required	330.507(b)	Yes	Part III, Section 12; Part III, Attachment 9		Financial Assurance
755	Part IV	A site operating plan shall cover all on-site units in accordance with Subchapters D & E of Chapter 330.	Informational	330.65(a)				Site Operating Plan
756	Part IV	A facility that has an environmental management system that meets both the minimum standards described in 30 TAC §90.32 of this title and the United States Environmental Protection Agency's National Environmental Performance Track is not subject to site operating plan requirements.	Informational	330.65(b)				Site Operating Plan
757	Part IV	In the event the executive director terminates authorization to operate under an environmental management system, the facility will comply with the site operating plan requirements within 90 days.	Informational	330.65(b)				Site Operating Plan
758	Part IV	Provide procedures for recirculating leachate or gas condensate	Required if Requested	330.65(c)	Yes	Not Applicable		Site Operating Plan
759	Part IV	Acknowledge that the site development plan, site operating plan, final closure plan, post-closure maintenance plan, landfill gas management plan, & all other documents are operating requirements & part of the operating record.	Acknowledgement	330.121(a)	Yes	Part IV, Section 1.2		Site Operating Plan
760	Part IV	Acknowledge that any deviation from the permit and incorporated plans or other related documents associated with the permit is a violation of this chapter	Acknowledgement	330.121(a)	Yes	Part IV, Section 1.2		Site Operating Plan
761	Part IV	Acknowledgment that the SLER will be submitted to the ED 14 days prior to waste disposal operations for each new disposal area	Acknowledgement	330.123	Yes	Part IV, Section 1.1		Site Operating Plan
762	Part IV	Acknowledge that all information required to be in the site operating record to be placed in the operating record within seven (7) days of completion or receipt	Acknowledgement	330.125(b)	Yes	Part IV, Section 1.2		Site Operating Plan
763	Part IV	Acknowledge that all location restriction demonstrations will be maintained in the site operating record	Acknowledgement	330.125(b)(1)	Yes	Part IV, Section 1.2		Site Operating Plan
765	Part IV	Acknowledge that all results of gas monitoring & any remediation plans relating to explosive and other gases will be maintained in the site operating record	Acknowledgement	330.125(b)(3)	Yes	Part IV, Section 1.2		Site Operating Plan

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766	Part IV	Acknowledge that all unit design documentation regarding placement of leachate or gas condensate will be maintained in the site operating record	Acknowledgement	330.125(b)(4)	Yes	Part IV, Section 1.2		Site Operating Plan
767	Part IV	Acknowledge that all demonstration, certification, findings, monitoring, testing, and analytical data relating to groundwater monitoring and corrective action will be maintained in the site operating record	Acknowledgement	330.125(b)(5)	Yes	Part IV, Section 1.2		Site Operating Plan
768	Part IV	Acknowledge that all closure and post-closure care plans and any monitoring, testing, or analytical data relating to post-closure requirements will be maintained in the site operating record	Acknowledgement	330.125(b)(6)	Yes	Part IV, Section 1.2		Site Operating Plan
769	Part IV	Acknowledge that all cost estimates and financial assurance documentation relating to financial assurance for closure and post-closure will be maintained in the site operating record	Acknowledgement	330.125(b)(7)	Yes	Part IV, Section 1.2		Site Operating Plan
770	Part IV	Acknowledge that all documentation of compliance with small community exemption criteria will be maintained in the site operating record	Acknowledgement	330.125(b)(8)	Yes	Part IV, Section 1.2		Site Operating Plan
771	Part IV	Acknowledge that copies of all correspondence and responses relating to the operation of the facility, modifications to the permit, approvals, and other matters pertaining to technical assistance will be maintained in the site operating record	Acknowledgement	330.125(b)(9)	Yes	Part IV, Section 1.2		Site Operating Plan
772	Part IV	Acknowledge that all documents, manifests, shipping documents, trip tickets, etc., involving special waste will be maintained in the site operating record	Acknowledgement	330.125(b)(10)	Yes	Part IV, Section 1.2		Site Operating Plan
773	Part IV	Acknowledge that records of the application rate and total amount of any spray-applied alternative daily cover applied to the working face will be maintained in the site operating record	Acknowledgement	330.125(b)(11)	Yes	Part IV, Section 1.2		Site Operating Plan
774	Part IV	Acknowledge that any other documents specified by the permit or Executive Director will be maintained in the site operating record	Acknowledgement	330.125(b)(12)	Yes	Part IV, Section 1.2		Site Operating Plan
775	Part IV	Acknowledge that the site operating record will maintain all required documents in an organized format and in accordance with the time frames specified in 330.125(b), and will be furnished upon request to the executive director and must be made available for inspection by the executive director	Acknowledgement	330.125(c)	Yes	Part IV, Section 1.2 & Section 1.2.7		Site Operating Plan
776	Part IV	Indicate that the operating record will be maintained for life & post-closure period of the facility	Required	330.125(d)	Yes	Part IV, Section 1.2.7		Site Operating Plan
777	Part IV	Indicate that all training records will be maintained in accordance with 30 TAC §335.586(d) & (e)	Required	330.125(e)	Yes	Part IV, Section 1.2, Table 1 & Section 1.2.3		Site Operating Plan
778	Part IV	Indicate that personnel operating licenses issued under 30 TAC Chapter 30, Subchapter F will be maintained in the site operating record	Required	330.125(f)	Yes	Part IV, Section 1.2, Table 1		Site Operating Plan
779	Part IV	Indicate that the executive director may set alternative schedule for recordkeeping & notification	Required	330.125(g)	Yes	Part IV, Section 1.2		Site Operating Plan

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780	Part IV	Indicate that records documenting the annual waste acceptance rate will be maintained in the <u>site operating record</u>	Required	330.125(h)	Yes	Part IV, Section 1.2, Table 1		Site Operating Plan
781	Part IV	Indicate that documentation of waste acceptance rate will include maintaining annual & quarterly waste summary reports <u>required by 30 TAC §330.675</u>	Required	330.125(h)	Yes	Part IV, Section 1.3		Site Operating Plan
782	Part IV	Indicate that the facility will provide the reports required by 30 TAC §330.675 to the <u>Executive Director</u>	Required	330.675	Yes	Part IV, Section 1.3		Site Operating Plan
783	Part IV	Indicate that if the annual waste acceptance rate exceeds the rate estimated in the landfill permit application and the waste increase is not due to a temporary occurrence, the owner or operator shall file an application to modify the permit application, including the revised estimated waste acceptance rate, in accordance with 30 TAC §305.70(k) of this title (relating to Municipal Solid Waste Permit and Registration Modifications), within 90 days of the exceedance as established by the sum of the previous four quarterly summary reports.	Required	330.125(h)	Yes	Part IV, Section 1.3		Site Operating Plan
784	Part IV	Provide a description of the function & <u>minimum qualifications of key personnel</u>	Required	330.127(1)	Yes	Part IV, Section 2		Site Operating Plan
785	Part IV	Provide a description of the minimum number, size, type and function of the equipment to be <u>utilized at the facility</u>	Required	330.127(2)	Yes	Part IV, Section 3		Site Operating Plan
786	Part IV	Provide a description of the provisions for back-up equipment during periods of breakdown or maintenance of this listed equipment	Required	330.127(2)	Yes	Part IV, Section 3		Site Operating Plan
787	Part IV	Provide general instructions for personnel <u>concerning operational requirements</u>	Required	330.127(3)	Yes	Part IV, Section 4		Site Operating Plan
788	Part IV	Identify all applicable training requirements under 30 TAC §335.586(a) & (c) that must be <u>followed</u>	Required	330.127(4)	Yes	Part IV, Section 4.1		Site Operating Plan
789	Part IV	Provide procedures for the detection and prevention of the disposal of prohibited wastes, including hazardous waste & PCB wastes	Required	330.127(5)	Yes	Part IV, Section 4.2.1		Site Operating Plan
790	Part IV	Provide procedures for random inspections of incoming loads including the inspection of <u>compactor vehicles</u> .	Required	330.127(5)(A)	Yes	Part IV, Section 4.2.3		Site Operating Plan
791	Part IV	Indicate that trained staff shall observe each <u>load that is disposed at the landfill</u>	Required	330.127(5)(A)	Yes	Part IV, Section 4.2		Site Operating Plan
792	Part IV	Indicate that records will be kept of all waste <u>load inspections</u>	Required	330.127(5)(B)	Yes	Part IV, Section 4.2.3		Site Operating Plan
793	Part IV	Indicate that facility personnel inspecting or observing loads must have training to <u>recognize prohibited waste</u>	Required	330.127(5)(C)	Yes	Part IV, Section 4.2.1		Site Operating Plan
794	Part IV	Indicate that notification will be provide to executive director and to any local pollution agency with jurisdiction that has requested to be notified, of the receipt or disposal of <u>hazardous or PCB waste</u>	Required	330.127(5)(D)	Yes	Part IV, Section 4.2.4		Site Operating Plan
795	Part IV	Provide provisions for remediation of hazardous or PCB waste that has been received <u>for disposal at the facility</u>	Required	330.127(5)(E)	Yes	Part IV, Section 4.2.4		Site Operating Plan

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796	Part IV	Indicate that the facility will maintain a source of earthen material available to extinguish fires, sized to cover waste not covered with six inches of earthen material within one hour of detecting a fire.	Required	330.129	Yes	Part IV, Section 4.4.1.2.4.6		Site Operating Plan
797	Part IV	Provide a demonstration, including calculations, showing that sufficient on-site equipment and earthen material stockpile is available to cover any waste not already covered with six inches of earthen material within one hour of detecting a fire.	Required	330.129	Yes	Part IV, Section 4.4.1.2.4.6		Site Operating Plan
798	Part IV	Indicate that sufficient on-site equipment must be provided to place a six-inch layer of earthen material to cover any waste not already covered with six inches of earthen material within one hour of detecting a fire.	Required	330.129	Yes	Part IV, Section 4.4.1.2.4.6		Site Operating Plan
799	Part IV	Provide fire protection standards & training procedures	Required	330.129	Yes	Part IV, Section 4.4		Site Operating Plan
800	Part IV	Identify other activities requiring fire protection and provide protection measures specific to each individual activity	Required	330.129	Yes	Part IV, Section 4.4		Site Operating Plan
801	Part IV	Indicate that if a fire occurs that is not extinguished within ten minutes of detection, the commission's regional office must be contacted immediately after detection, but no later than four hours by telephone, and in writing within 14 days with a description of the fire and the resulting response.	Required	330.129	Yes	Part IV, Section 4.4.2		Site Operating Plan
802	Part IV	Provide provisions for access control to the facility	Required	330.131	Yes	Part IV, Section 4.5		Site Operating Plan
803	Part IV	Provide an inspection and maintenance schedule for access control features	Required	330.131	Yes	Part IV, Section 4.5.4		Site Operating Plan
804	Part IV	Indicate that the commission's regional office, and any local pollution agency with jurisdiction that has requested to be notified, must be notified of the breach within 24 hours of detection. Indicate that the breach must be temporarily repaired within 24 hours of detection and must be permanently repaired by the time specified to the commission's regional office when it was reported in the initial breach report. Indicate that if a permanent repair can be made within eight hours of detection, no notice to the commission's regional office is required.	Required	330.131	Yes	Part IV, Section 4.5.4		Site Operating Plan
805	Part IV	Identify all unloading areas and specify maximum size of each unloading area.	Required	330.133(a)	Yes	Part IV, Section 4.6		Site Operating Plan
806	Part IV	Indicate that trained staff will monitor incoming loads at each unloading area	Required	330.133(a)	Yes	Part IV, Section 4.6		Site Operating Plan
807	Part IV	Indicate that the unloading of waste in unauthorized areas is prohibited.	Required	330.133(b)	Yes	Part IV, Section 4.6		Site Operating Plan
814	Part IV	At Type IV landfills, only brush, C&D, & rubbish free of putrescible and household waste are allowed	Informational	330.133(e)				Site Operating Plan
815	Part IV	Submit a written procedure that will ensure that containers with any putrescible wastes are not accepted at the landfill	Required	330.133(f)(1)	Yes	Not Applicable		Site Operating Plan
816	Part IV	Submit a written procedure for the immediate removal of any putrescible wastes and other prohibited waste disposed of at the landfill	Required	330.133(f)(2)	Yes	Not Applicable		Site Operating Plan

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817	Part IV	Provide a procedure for transporter certifications that will be retained at the landfill and available for inspection by the executive director	Required	330.133(f)(3)	Yes	Not Applicable		Site Operating Plan
818	Part IV	Acknowledge that Type IV landfills may only accept waste in enclosed containers or enclosed vehicles in accordance with 30 TAC §330.169	Acknowledgement	330.133(g)	Yes	Not Applicable		Site Operating Plan
819	Part IV	Provide a description of wastes that are not allowed and state the landfill's requirements for transporters	Required	330.133(h)	Yes	Part IV, Section 4.2.		Site Operating Plan
820	Part IV	Specify waste acceptance and operating hours	Required	330.135(a)	Yes	Part IV, Section 4.7		Site Operating Plan
821	Part IV	The waste acceptance hours of a municipal solid waste facility may be any time between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, unless otherwise approved in the authorization for the facility. Waste acceptance hours within the 7:00 a.m. to 7:00 p.m. weekday span do not require other specific approval. Transportation of materials and heavy equipment operation must not be conducted between the hours of 9:00 p.m. to 5:00 a.m., unless otherwise approved in the authorization for the facility. Operating hours for other activities do not require specific approval	Informational	330.135(a)				Site Operating Plan
822	Part IV	Specify alternative operating hours of up to five days in a calendar year to accommodate special occasions, special purpose events, holidays, or other special occurrences	Required If Requested	330.135(b)	Yes	Part IV, Section 4.7		Site Operating Plan
823	Part IV	Indicate that the facility will record in the site operating record the dates, times, and duration when any alternative operating hours are utilized	Required	330.135(d)	Yes	Part IV, Section 4.7		Site Operating Plan
824	Part IV	Indicate that a sign measuring at least 4' X 4' with letters at least three inches in height must be displayed at all entrances.	Required	330.137	Yes	Part IV, Section 4.8		Site Operating Plan
825	Part IV	Indicate that information on the sign must include the facility type, hours and days of operation, an emergency 24hr. Contact number, local fire department number & permit number	Required	330.137	Yes	Part IV, Section 4.8		Site Operating Plan
826	Part IV	Indicate that windblown waste and litter at the working face must be controlled by using engineering methods or measures, including portable panels, temporary fencing, and perimeter fencing or comparable engineering controls	Required	330.139(1)	Yes	Part IV, Section 4.9		Site Operating Plan
827	Part IV	Provide a plan for daily management of litter scattered throughout the site, along fences and access roads, and at the gate	Required	330.139(2)	Yes	Part IV, Section 4.9		Site Operating Plan
828	Part IV	Indicate that no unloading, storage, disposal, or processing operations will occur within easements, buffer zones, or rights-of-way that crosses the site, and that no disposal shall occur within 25 feet of the center line of any utility line or pipeline easement, unless otherwise authorized by the executive director	Required	330.141(a)	Yes	Part IV, Section 4.10		Site Operating Plan

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829	Part IV	Indicate that all pipeline and utility easements must be clearly marked with posts that extend at least six feet above ground level, spaced at intervals no greater than 300 feet	Required	330.141(a)	Yes	Part IV, Section 4.10.1		Site Operating Plan
830	Part IV	Indicate that a minimum separating distance shall be maintained between solid waste processing and disposal activities within and adjacent to the facility boundary on property owned or controlled by the owner or operator as determined by the requirements of 30 TAC §330.543. The buffer zone must provide for safe passage for fire-fighting and other emergency vehicles.	Required	330.141(b)	Yes	Part IV, Section 4.10.2		Site Operating Plan
831	Part IV	Indicate that the visibility of all required landfill markers and the benchmark must be maintained	Required	330.143(a)	Yes	Part IV, Section 4.11		Site Operating Plan
832	Part IV	Indicate that landfill markers must be inspected on a monthly basis and records of all inspections placed in the site operating record	Required	330.143(a)	Yes	Part IV, Section 4.11		Site Operating Plan
833	Part IV	Indicate that all markers must be replaced within 15 days of removal, destruction, or a determination that the markers do not meet regulatory requirements.	Required	330.143(a)	Yes	Part IV, Section 4.11		Site Operating Plan
834	Part IV	Landfill markers must be installed to clearly mark significant features and that the executive director may modify specific marker requirements to accommodate unique site-specific conditions.	Required	330.143(b)	Yes	Part IV, Section 4.11		Site Operating Plan
835	Part IV	Indicate that markers must be posts extending 6ft. above ground and not obscured	Required	330.143(b)(1)	Yes	Part IV, Section 4.11		Site Operating Plan
836	Part IV	Provide the color coding for on-site markers that is in compliance with 330.143(b)(1)(A) - (F)	Required	330.143(b)(1)(A) - (F)	Yes	Part IV, Section 4.11		Site Operating Plan
837	Part IV	Indicate that boundary markers must be placed at each corner of the facility and along boundary line at intervals not greater than 300 ft.	Required	330.143(b)(2)	Yes	Part IV, Section 4.11.5		Site Operating Plan
838	Part IV	Indicate that markers identifying the buffer zone will placed along each buffer zone boundary at intervals of no greater than 300 ft.	Required	330.143(b)(3)	Yes	Part IV, Section 4.11.6		Site Operating Plan
839	Part IV	Indicate that easement and right-of-way markers must be placed along the centerline of an easement and along the boundary of a right-of-way at each corner within the facility and at the intersection of the facility boundary	Required	330.143(b)(4)	Yes	Part IV, Section 4.11.1		Site Operating Plan
840	Part IV	Indicate that a landfill grid system must be installed unless written approval from the executive director has been received.	Required	330.143(b)(5)	Yes	Part IV, Section 4.11.2		Site Operating Plan
841	Part IV	Indicate that grid system will encompass at least the area expected to be filled within the next three-year period and that marks must be spaced no greater than 100 feet apart measured along perpendicular lines and that where markers cannot be seen from opposite boundaries, intermediate markers must be installed, where feasible.	Required	330.143(b)(5)	Yes	Part IV, Section 4.11.2		Site Operating Plan

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842	Part IV	Indicate that soil liner or geomembrane markers will be placed so that areas under evaluation can be determined & maintained through construction & operation period.	Required	330.143(b)(6)	Yes	Part IV, Section 4.11.3		Site Operating Plan
843	Part IV	Indicate that the location of the liner markers must be tied into the landfill grid system and must be reported on each soil liner evaluation report or geomembrane liner evaluation report submitted	Required	330.143(b)(6)	Yes	Part IV, Section 4.11.3		Site Operating Plan
844	Part IV	Indicate that liner area markers must not be placed inside constructed areas.	Required	330.143(b)(6)	Yes	Part IV, Section 4.11.3		Site Operating Plan
845	Part IV	Indicate that flood protection markers must be installed for any area within a solid waste disposal facility that is within the 100-year floodplain and that areas subject to flooding must be clearly marked by means of permanent posts not more than 300 feet apart or closer if necessary to retain visual continuity.	Required	330.143(b)(7)	Yes	Part IV, Section 4.11.4		Site Operating Plan
846	Part IV	Indicate that a permanent benchmark must be established and accessible and must be a bronze survey marker in concrete stamped with elevation and date stamped on it and that the benchmark must be surveyed from a known United States Coast and Geodetic Survey benchmark or other reliable benchmark	Required	330.143(b)(8)	Yes	Part IV, Section 4.11.7		Site Operating Plan
847	Part IV	Indicate that the facility owner or operator shall take steps to encourage that vehicles hauling waste to the facility are enclosed or provided with a tarpaulin, net, or other means to effectively secure the load in order to prevent the escape of any part of the load by blowing or spilling.	Required	330.145	Yes	Part IV, Section 4.12		Site Operating Plan
848	Part IV	Indicate that the owner or operator shall take actions such as posting signs, reporting offenders to proper law enforcement officers, adding surcharges, or similar measures.	Required	330.145	Yes	Part IV, Section 4.12		Site Operating Plan
849	Part IV	Indicate that on days when the facility is in operation, the owner or operator shall be responsible for at least once per day cleanup of waste materials spilled along and within the right-of-way of public access roads serving the facility for a distance of two miles in either direction from any entrances used for the delivery of waste to the facility.	Required	330.145	Yes	Part IV, Section 4.12		Site Operating Plan
850	Part IV	Indicate that the facility operator will consult with the Texas Department of Transportation, county, and/or local governments with maintenance authority over the roads concerning cleanup of public access roads and rights-of-way	Required	330.145	Yes	Part IV, Section 4.12		Site Operating Plan
851	Part IV	Indicate that large, heavy, bulky items that cannot be incorporated in the regular spreading, compaction, and covering operations at landfill should be recycled and that a large item salvage area should be established & items removed often enough to prevent nuisance or discharge	Required	330.147(a)	Yes	Part IV, Section 4.13		Site Operating Plan

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852	Part IV	Indicate the items that can be classified as large, heavy, or bulky. This can include, but is not limited to, white goods (household appliances), air conditioner units, metal tanks, <u>large metal pieces, and automobiles.</u>	Required	330.147(b)	Yes	Part IV, Section 4.13	Site Operating Plan
853	Part IV	Indicate that refrigerators, freezer, air conditioners, and any other items containing CFCs must be handled in accordance with 40 CFR 82.156(f)	Required	330.147(c)	Yes	Part IV, Section 4.13	Site Operating Plan
854	Part IV	Provide an odor management plan that addresses the sources of odors and includes general instructions to control odors or the sources of odors. The plans for odor management must include the identification of wastes that require special attention such as septage, grease trap waste, dead animals, and <u>leachate</u>	Required	330.149	Yes	Part IV, Section 4.14	Site Operating Plan
855	Part IV	Provide procedures for the control of on-site populations of disease vectors including the use of proper compaction and daily cover procedures, and the use of other approved methods when needed. The general methods and performance-based frequencies for disease vector control must be specified	Required	330.151	Yes	Part IV, Section 4.15	Site Operating Plan
856	Part IV	Provide a description for all weather access roads from the facility to public roads and within the facility. Indicate that tracked mud & debris on public roadway removed once a day on days when mud and associated debris are being tracked onto the public roadway. Provide a description of the specific method for <u>controlling mud & debris</u>	Required	330.153(a)	Yes	Part IV, Section 4.16	Site Operating Plan
857	Part IV	Indicate that tracked mud & associated debris on public roadway removed once a day on days when mud and associated debris are being tracked onto the public roadway.	Required	330.153(a)	Yes	Part IV, Section 4.16.2	Site Operating Plan
858	Part IV	Provide a description of the specific method for <u>controlling mud & debris</u>	Required	330.153(a)	Yes	Part IV, Section 4.16.2	Site Operating Plan
859	Part IV	Specify method of dust control or suppression	Required	330.153(b)	Yes	Part IV, Section 4.16.3	Site Operating Plan
860	Part IV	Provide a description, including frequency, of how all on site roadways will be maintained to minimize depressions, ruts, and potholes	Required	330.153(c)	Yes	Part IV, Section 4.16.1	Site Operating Plan
861	Part IV	Indicate that litter and any other debris must be picked up at least daily and taken to the <u>working face for disposal</u>	Required	330.153(c)	Yes	Part IV, Section 4.16.4	Site Operating Plan
862	Part IV	Indicate that salvaging operations must not interfere with prompt sanitary disposal of solid waste or to create public health nuisances.	Required	330.155	Yes	Part IV, Section 4.17.1	Site Operating Plan
863	Part IV	Indicate that salvaged items will be removed often enough to prevent becoming a nuisance, preclude the discharge of any pollutants, or to prevent an excessive accumulation of material.	Required	330.155	Yes	Part IV, Section 4.17.1	Site Operating Plan
864	Part IV	Indicate that Class 1 industrial and other special wastes received at the disposal facility <u>must not be salvaged.</u>	Required	330.155	Yes	Part IV, Section 4.17.1	Site Operating Plan

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865	Part IV	Indicate that pesticide, fungicide, rodenticide, and herbicide containers must not be salvaged unless being salvaged through a state-supported recycling program.	Required	330.155	Yes	Part IV, Section 4.17.1		Site Operating Plan
866	Part IV	Indicate that scavenging is prohibited.	Required	330.155	Yes	Part IV, Section 4.17.2		Site Operating Plan
867	Part IV	Specify criteria for the protection of identified endangered species	Required	330.157	Yes	Part IV, Section 4.18		Site Operating Plan
868	Part IV	Indicate that landfill gas report and submittals must be maintained in operating record	Required	330.159	Yes	Part IV, Section 4.19		Site Operating Plan
869	Part IV	Indicate that within 30 days of discovery, notice will be provide to the executive director of the location of any and all existing or abandoned water wells, oil wells, natural gas wells or other wells situated within the facility.	Required	330.161(a)-(b)	Yes	Part IV, Section 4.20		Site Operating Plan
870	Part IV	Indicate that within 30 days of discovery, the facility will provide the executive director with notification and written certification that the water well has been capped, plugged, and closed in accordance with all applicable rules and regulations of the commission or other state agency	Required	330.161(a)	Yes	Part IV, Section 4.20		Site Operating Plan
872	Part IV	Indicate that the executive director may approve any well used to supply water at the facility that is located within the permit boundary if it is determined that the well is outside the waste footprint, it is not impacted by landfill operations, it can be demonstrated that well design and installation will prevent any cross-contamination from the waste management unit to the water well production zone and between any water bearing zones, and an approved sampling plan to include frequency and parameters is in place.	Required	330.161(a)	Yes	Part IV, Section 4.20		Site Operating Plan
873	Part IV	Indicate that any water or other type of wells under the jurisdiction of the commission must be plugged in accordance with all applicable state requirements or additional requirements imposed by the executive director and that a copy of the well plugging report required to be submitted to the appropriate state agency and must also be submitted to the executive director within 30 days after the well has been plugged.	Required	330.161(c)	Yes	Part IV, Section 4.20.2		Site Operating Plan
874	Part IV	Indicate that any proposed changes to the liner installation plan as a result of any well abandonment will be submit for executive director approval as permit modification	Required	330.161(d)	Yes	Part IV, Section 4.20.2		Site Operating Plan

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875	Part IV	Specify the methods of compaction of waste	Required	330.163	Yes	Part IV, Section 4.21		Site Operating Plan
876	Part IV	Indicate that the landfill must apply six inches of well-compacted earthen material not previously mixed with garbage, rubbish, or other solid waste at the end of each operating day to control disease vectors, fires, odors, windblown litter or waste, and scavenging, unless the executive director requires a more frequent interval.	Required	330.165(a)	Yes	Part IV, Section 4.22.2		Site Operating Plan
877	Part IV	Indicate that the landfill must apply six inches of well-compacted earthen material not previously mixed with garbage, rubbish, or other solid waste at least weekly to control disease vectors, fires, odors, windblown litter or waste, and scavenging, unless the executive director requires a more frequent interval.	Required	330.165(b)	Yes	Part IV, Section 4.22.2		Site Operating Plan
878	Part IV	Landfills that operate on a 24-hour basis must cover the working face or active disposal area at least once every 24 hours. The executive director may require a chemical analysis of any landfill cover material. Runoff from areas that have intact daily cover is not considered as having come into contact with the working face or leachate.	Informational	330.165(a)				Site Operating Plan
879	Part IV	Indicate that all areas that have received waste but will be inactive for longer than 180 days must provide intermediate or final cover.	Required	330.165(c)	Yes	Part IV, Section 4.22.4		Site Operating Plan
880	Part IV	Indicate that all intermediate cover will be six inches of suitable earthen material that is capable of sustaining native plant growth and must be seeded or sodded following its application in order to control erosion, or must be a material approved by the executive director that will otherwise control erosion. This intermediate cover must not be less than 12 inches of suitable earthen material. The intermediate cover must be graded to prevent ponding of water. Plant growth or other erosion control features must be maintained. Runoff from areas that have intact intermediate cover is not considered as having come into contact with the working face or leachate.	Required	330.165(c)	Yes	Part IV, Section 4.22.4		Site Operating Plan
881	Part IV	Indicate that alternative daily cover may only be allowed by a temporary authorization under §305.62(k)(1)(A) of this title (relating to Municipal Solid Waste Permit and Registration Modifications) followed by a major amendment or a modification in accordance with §305.70(k)(1) of this title. Use of alternative daily cover is limited to a 24-hour period after which either waste or daily cover as defined in subsection (a) of this section must be placed.	Required If Requested	330.165(d)	Yes	Part IV, Section 4.22.3		Site Operating Plan
882	Part IV	Provide a alternative daily cover operating plan that includes the information required by 30 TAC §330.165(d)(1)(A) - (E)	Required If Requested	330.165(d)(1)(A)-(E)	Yes	Part IV, Section 4.22.3; Part IV, Attachment 2		Site Operating Plan

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883	Part IV	Indicate that status reports on the alternative daily cover must be submitted on a two-month basis to the executive director during the temporary authorization period describing the effectiveness of the alternative material, any problems that may have occurred, and corrective actions required as a result of such problems.	Required If Requested	330.165(d)(2)	Yes	Part IV, Section 4.22.3		Site Operating Plan
884	Part IV	Indicate that alternative daily cover must not be allowed when the landfill is closed for a period greater than 24 hours, unless the executive director approves an alternative length of time.	Required If Requested	330.165(d)(3)	Yes	Part IV, Section 4.22.3		Site Operating Plan
885	Part IV	Indicate that the constituents of concern in contaminated soils used as shall not exceed the concentrations listed in Table 1, Constituents of Concern and Their Maximum Leachable Concentrations, located in 30 TAC §335.521(a)(1)	Required If Requested	330.165(d)(4)	Yes	Not Applicable		Site Operating Plan
886	Part IV	Indicate that contaminated soils used as ADC will not contain PCB waste subject to 40 CFR Part 761	Required If Requested	330.165(d)(4)(A)	Yes	Not Applicable		Site Operating Plan
887	Part IV	Indicate that contaminated soils used as ADC will not contain TPH concentrations greater than 1,500 ppm unless ED approves a suitability demonstration	Required If Requested	330.165(d)(4)(B)	Yes	Not Applicable		Site Operating Plan
888	Part IV	ADC must not exceed constituent limits imposed on waste disposed at the facility	Required If Requested	330.165(d)(5)	Yes	Not Applicable		Site Operating Plan
889	Part IV	Indicate that the executive director may require the facility to test runoff from areas that have alternative daily cover for compliance with Texas Pollutant Discharge Elimination System storm water discharge limits or manage the runoff as contaminated water.	Required If Requested	330.165(d)(6)	Yes	Not Applicable		Site Operating Plan
890	Part IV	Provide a demonstration if there are any extreme seasonal climatic conditions that make meeting requirements of 30 TAC §330.165(a) - (d) impractical. Based on this demonstration the executive director may grant a temporary waiver from the requirements of subsections 30 TAC §330.165(a) - (d)	Required If Requested	330.165(e)	Yes	Not Applicable		Site Operating Plan
891	Part IV	Indicate that final cover for the landfill must be in accordance with the site closure plan and Subchapter K of Chapter 330.	Required	330.165(f)	Yes	Part IV, Section 4.22.5		Site Operating Plan
901	Part IV	indicate that enclosed containers or enclosed vehicles must only be accepted at their designated time and on the specified day in accordance with this section, commission permits, or other orders of the commission.	Required If Requested	330.169(1)(C)	Yes	Not Applicable		Site Operating Plan
902	Part IV	Indicate that a commission inspector shall be on site and shall witness the unloading process to ensure that no putrescible waste or household waste is present and that any waste considered non-allowable by the inspector must be removed from the working face and subsequently from the facility in accordance with 30 TAC §330.133	Required If Requested	330.169(1)(D)	Yes	Not Applicable		Site Operating Plan

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903	Part IV	Indicate that each transporter delivering waste in enclosed containers or enclosed vehicles must, prior to discharging the load, provide to the landfill operator a transporter trip ticket for the route being delivered. Trip tickets must be maintained as part of the operating record.	Required If Requested	330.169(1)(E)	Yes	Not Applicable		Site Operating Plan
904	Part IV	Stationary compactors permitted in accordance with 30 TAC §330.7 of this title (relating to Permit Required) and municipalities having transporter routes permitted in accordance with 30 TAC §330.7 of this title are exempt from the requirements of 30 TAC §330.169(1)-(3).	Informational	330.169(4)				Site Operating Plan
905	Part IV	Indicate that the landfill operator must obtain from the transporter a hauler trip ticket for a municipal transporter route or stationary compactors, as appropriate, prior to allowing discharge of the material at the landfill. These trip tickets must be maintained as a part of the operating record.	Required	330.169(4)	Yes	Not Applicable		Site Operating Plan
906	Part IV	Indicate that the landfill may accept special wastes consistent with the limitations established in 30 TAC §330.5(a)(2) of this title (relating to Classification of Municipal Solid Waste Facilities) and the waste acceptance plan required by 30 TAC §330.61(b) of this title (relating to Contents of Part II of the Application).	Required	330.171(a)	Yes	Part IV, Section 4.24; Part IV, Attachment 3		Site Operating Plan
907	Part IV	Indicate that special waste not identified in 30 TAC §330.171(c)-(d) require prior written approval from the executive director.	Required	330.171(b)	Yes	Part IV, Attachment 3		Site Operating Plan
908	Part IV	Approvals will be waste-specific and/or site-specific and will be granted only to appropriate facilities operating in compliance with this chapter.	Required	330.171(b)(1)	Yes	Part IV, Attachment 3		Site Operating Plan
909	Part IV	Indicate that requests for approval to accept special wastes must be submitted by the generator to the executive director or to a facility with an approved plan	Required	330.171(b)(2)	Yes	Part IV, Attachment 3		Site Operating Plan
910	Part IV	Indicate that requests for approval to accept special wastes must include a description of chemical & physical characteristics of waste and a statement as to whether or not each waste is a Class 1 industrial waste as defined in §330.3 of this title, and the quantity and rate at which each waste is produced and/or the expected frequency of disposal	Required	330.171(b)(2)(A)	Yes	Part IV, Attachment 3		Site Operating Plan
911	Part IV	Indicate that a hazardous waste determination as required by 30 TAC §335.6 will be included for all Class 1 industrial waste	Required	330.171(b)(2)(B)	Yes	Part IV, Attachment 3		Site Operating Plan
912	Part IV	Indicate that all requests for approval to accept special wastes must that include an operational plan containing the proposed procedures for handling each waste and listing required protective equipment for operating personnel and on-site emergency equipment	Required	330.171(b)(2)(C)	Yes	Part IV, Attachment 3		Site Operating Plan

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913	Part IV	Indicate that all requests for approval to accept special wastes must include a contingency plan outlining responsibility for containment and cleanup of any accidental spills occurring during the delivery and/or disposal operation	Required	330.171(b)(2)(D)	Yes	Part IV, Attachment 3	Site Operating Plan
915	Part IV	Indicate that soils contaminated by petroleum products, crude oils, or chemicals in concentrations of greater than 1,500 milligram per kilogram (mg/kg) total petroleum hydrocarbons; or contaminated by constituents of concern that exceed the concentrations listed in Table 1, Constituents of Concern and Their Maximum Leachable Concentrations in 30 TAC §335.521(a)(1) of this title (relating to Appendices) must be disposed in dedicated cells that meet the requirements of 30 TAC §330.331(e) of this title (relating to Design Criteria).	Required	330.171(b)(4)	Yes	Part IV, Attachment 3	Site Operating Plan
916	Part IV	Indicate that the executive director may authorize the receipt of special waste with a written concurrence from the facility, however, the facility operator is not required to accept the waste.	Required	330.171(b)(5)	Yes	Part IV, Attachment 3	Site Operating Plan
917	Part IV	Indicate that the executive director may revoke an authorization to accept special waste if the owner or operator does not maintain compliance with these rules or conditions imposed in the authorization to accept special waste.	Required	330.171(b)(6)	Yes	Part IV, Attachment 3	Site Operating Plan
918	Part IV	Indicate that special waste listed under 330.171(c) may be accepted if managed per the handling procedures for each waste identified in 330.171(c)(1) - (7)	Required	330.171(c)	Yes	Part IV, Attachment 3	Site Operating Plan
919	Part IV	Indicate that used oil filters from internal combustion engines must not be intentionally and knowingly accepted for disposal at landfills permitted under this chapter except as provided in 330.171(d)(1) & (2)	Required	330.171(d)	Yes	Part IV, Attachment 3	Site Operating Plan
920	Part IV	Indicate that Class 1 industrial solid waste shall not be disposed in the landfill	Required	330.173(a)	Yes	Part IV, Section 4.25	Site Operating Plan
921	Part IV	Indicate that wastes that are Class 1 only because of asbestos content may be accepted at any Type I or Type IAE landfill that is authorized to accept regulated asbestos-containing material (RACM). Authorization to accept this waste is implied in the authorization to accept RACM unless the acceptance of industrial wastes is prohibited by the permit. All Class 1 industrial asbestos wastes will be manifested and the owner or operator of the landfill facility shall comply with the requirements of 30 TAC §330.173(g) & (h)	Required	330.173(c)	Yes	Part IV, Section 4.25	Site Operating Plan
922	Part IV	Indicate that the operator may not accept Class 1 without written approval and a manifest per 30 TAC §335.10	Required	330.173(b)	Yes	Part IV, Section 4.25	Site Operating Plan
923	Part IV	Indicate that requests for authorization to accept Class 1 solid wastes must be submitted in writing to the executive director	Required	330.173(d)	Yes	Part IV, Section 4.25	Site Operating Plan

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924	Part IV	Indicate that a request to accept Class 1 waste must include a description of chemical & physical characteristics of the waste per 30 TAC §335.587, a hazardous waste statement, and the quantity, rate, and frequency of disposal	Required	330.173(d)(1)	Yes	Part IV, Section 4.25	Site Operating Plan
925	Part IV	Indicate that a request to accept Class 1 waste must include operating plan containing handling procedures, personnel protective & on-site emergency equipment	Required	330.173(d)(2)	Yes	Part IV, Section 4.25	Site Operating Plan
926	Part IV	Indicate that a request to accept Class 1 waste must include a written contingency plan meeting the requirements of 30 TAC §335.589	Required	330.173(d)(3)	Yes	Part IV, Section 4.25	Site Operating Plan
927	Part IV	Unless specifically authorized by the facility permit, a Type I or Type IAE landfill facility permitted after October 9, 1993, may not accept Class 1 industrial solid wastes in excess of 20% of the total amount of waste (not including Class 1 wastes) accepted during the current or previous year. The amount of waste may be determined by volume or by weight, but the same unit of measure must be used for each year, unless a variance is authorized by the executive director.	Informational	330.173(e)			Site Operating Plan
928	Part IV	Indicate that any authorization to accept Class 1 waste is subject to the site operating in compliance with 30 TAC §330.173 and any specific conditions required under any letter(s) of authorization. Failure to operate the site in compliance with 30 TAC §330.173 or any special conditions imposed by the executive director may result in revocation of the authorization to accept a Class 1 waste.	Required If Requested	330.173(f)	Yes	Part IV, Section 4.25	Site Operating Plan
929	Part IV	Indicate that Class 1 waste must be accompanied by a manifest that must be signed by the operator and copies retained for 3 yrs.	Required If Requested	330.173(g)	Yes	Part IV, Section 4.25	Site Operating Plan
930	Part IV	Indicate that a Class 1 waste acceptance report must be submitted by 25 th of the month	Required If Requested	330.173(h)	Yes	Part IV, Section 4.25	Site Operating Plan
931	Part IV	Indicate that the facility will accepted Class 2 waste provided the acceptance of this waste does not interfere with facility operation and its acceptance is in accordance with any applicable limitations in §330.5(a)(2) and the waste acceptance plan required by §330.61(b)	Required	330.173(i)	Yes	Part IV, Section 4.25	Site Operating Plan
932	Part IV	Indicate that the facility will accepted Class 3 waste provided the acceptance of this waste does not interfere with facility operation	Required	330.173(j)	Yes	Part IV, Section 4.25	Site Operating Plan
933	Part IV	Indicate that the executive director may require visual screening	Required	330.175	Yes	Part IV, Section 4.26	Site Operating Plan
934	Part IV	Provide procedures for leachate or gas condensate recirculation	Required If Requested	330.177	Yes	Part IV, Section 4.27	Site Operating Plan
935	Part IV	If facility manages Class 1, then it shall comply with 30 TAC §330.179(a)(1)-(6)	Informational	330.179(a)			Site Operating Plan

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936	Part IV	Provide a schedule for inspecting monitoring equipment, safety and emergency equipment, and operating and structural equipment that are important to preventing, detecting, or responding to environmental or human health hazards	Required If Requested	335.585(b)	Yes	Not Applicable		Site Operating Plan
937	Part IV	Indicate that the inspection schedule will be maintained at facility	Required If Requested	335.585(b)(1)	Yes	Not Applicable		Site Operating Plan
938	Part IV	Specify the type of problems to be looked for during Class 1 waste inspection	Required If Requested	335.585(b)(2)	Yes	Not Applicable		Site Operating Plan
939	Part IV	Specify the frequency of inspections that is consistent with 40 CFR 264.303, and indicate that unloading areas will be inspected daily	Required If Requested	335.585(b)(3)	Yes	Not Applicable		Site Operating Plan
940	Part IV	Indicate that the facility must remedy any deterioration or malfunction of equipment or structures that the inspection reveals on a schedule that ensures that the problem does not lead to an environmental or human health hazard. Indicate that where a hazard is imminent or has already occurred, remedial action must be taken immediately.	Required If Requested	335.585(c)	Yes	Not Applicable		Site Operating Plan
941	Part IV	Indicate that the facility will maintain inspection logs that include date/time of inspection, inspectors name, observations made, date & nature of repairs	Required If Requested	335.585(d)	Yes	Not Applicable		Site Operating Plan
942	Part IV	Indicate that facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this 30 TAC §330.586	Required If Requested	335.586(a)	Yes	Not Applicable		Site Operating Plan
943	Part IV	Indicate that training will provided by a person trained in waste management procedures, and must include instruction that teaches facility personnel waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed	Required If Requested	335.586(a)(1)	Yes	Not Applicable		Site Operating Plan
944	Part IV	Indicate that the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems	Required If Requested	335.586(a)(2)	Yes	Not Applicable		Site Operating Plan
945	Part IV	Provide procedures for using, inspecting, repairing, & replacing emergency & monitoring equipment; communications or alarm systems; response to fires or explosions; response to GW contamination; & shutdown of operations	Required If Requested	335.586(a)(2)(A)-(E)	Yes	Not Applicable		Site Operating Plan
946	Part IV	Indicate that personnel training must be completed within 6 months	Required If Requested	335.586(b)	Yes	Not Applicable		Site Operating Plan
947	Part IV	Indicate that facility personnel must take part in an annual review of initial training	Required If Requested	335.586(c)	Yes	Not Applicable		Site Operating Plan
948	Part IV	Indicate that facility will maintain personnel records required in 335.586 in the site operating record	Required If Requested	335.586(d)	Yes	Not Applicable		Site Operating Plan

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949	Part IV	Indicate that facility will record title of each position & employee name in that position, job description, description of type & amount of training for each position, records of training & job experience	Required If Requested	335.586(d)(1) - (4)	Yes	Not Applicable		Site Operating Plan
950	Part IV	indicate that training records on current personnel must be kept until closure of the facility and training records on former employees must be kept for at least three years from the date the employee last worked at the facility	Required If Requested	335.586(e)	Yes	Not Applicable		Site Operating Plan
951	Part IV	Indicate that the facility will follow the waste analysis requirements of 335.587	Required If Requested	335.587(a)	Yes	Not Applicable		Site Operating Plan
952	Part IV	Provide procedures in compliance with 335.587 to obtain chemical & physical analysis of representative samples	Required If Requested	335.587(a)(1)	Yes	Not Applicable		Site Operating Plan
953	Part IV	indicate that a waste generator's records or analyses performed on the waste before the effective date of these regulations, or studies conducted on waste generated from processes similar to that which generated the waste to be managed at the facility, may be included in the data base required to comply with this paragraph. Indicate that the facility may arrange for the generator of the waste to supply the information required by this paragraph. Indicate that if the generator does not supply the information, and the owner or operator chooses to accept a waste, the owner or operator is responsible for obtaining the information required to comply with this section	Required If Requested	335.587(a)(1)(A)-(B)	Yes	Not Applicable		Site Operating Plan
954	Part IV	Indicate that the waste analysis may include data developed under Subchapter R of Chapter 335 (relating to Waste Classification), and existing published or documented data on a waste or on such waste generated from similar processes.	Required If Requested	335.587(a)(2)	Yes	Not Applicable		Site Operating Plan
955	Part IV	Indicate that waste analysis must be repeated as necessary to ensure that it is accurate and up-to-date, when the owner or operator is notified, or has reason to believe, that the process or operation generating the waste has changed and when the results of the inspection required in 335.587 indicate that the waste received at the facility does not match the waste designated on the accompanying manifest or shipping paper.	Required If Requested	335.587(a)(3)	Yes	Not Applicable		Site Operating Plan
956	Part IV	Indicate that the owner or operator shall inspect and, if necessary, analyze each waste received at the facility to determine whether it matches the identity of the waste specified on the accompanying manifest or shipping paper	Required If Requested	335.587(a)(4)	Yes	Not Applicable		Site Operating Plan
957	Part IV	Provide a waste analysis plan that describes the procedures which the owner or operator will carry out to comply with 335.587(b)	Required If Requested	335.587(b)	Yes	Not Applicable		Site Operating Plan
958	Part IV	Provide procedures to prevent the ignition or reaction of wastes	Required If Requested	335.588(a)	Yes	Not Applicable		Site Operating Plan

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959	Part IV	Indicate that the facility will take precautions to prevent, extreme heat or pressure, fire or explosions, violent reactions, toxic mist, dust, fumes, gases, flammable fumes & gases, damage to devices or facility, or threaten human health or the environment	Required If Requested	335.588(b)(1)-(5)	Yes	Not Applicable		Site Operating Plan
960	Part IV	Indicate that the facility will maintain documentation of compliance with 335.588(a)-(b)	Required If Requested	335.588(c)	Yes	Not Applicable		Site Operating Plan
961	Part IV	Provide a contingency plan that is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of waste or constituents of such waste to air, soil, or surface water	Required If Requested	335.589(a)(1) & (2)	Yes	Not Applicable		Site Operating Plan
962	Part IV	The contingency plan must describe personnel action in response to fires, explosions, or any unplanned sudden or non-sudden release of waste or constituents of such waste to air, soil, or surface water at the facility.	Informational	335.589(b)(1)				Site Operating Plan
963	Part IV	Provide revisions sufficient to comply with requirements of Chapter 335 to any current Spill Prevention, Control, and Countermeasures (SPCC) Plan that is in accordance with Title 40 Code of Federal Regulations (CFR) Part 112, 40 CFR Part 1510, or some other approved emergency or contingency plan, if the facility manages waste in tanks	Required If Requested	335.589(b)(2)	Yes	Not Applicable		Site Operating Plan
964	Part IV	Describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.	Required If Requested	335.589(b)(3)	Yes	Not Applicable		Site Operating Plan
965	Part IV	Indicate that the owner or operator will maintain a list of names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see subsection (e) of this section), and this list must be kept up-to-date and at the facility. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.	Required If Requested	335.589(b)(4)	Yes	Not Applicable		Site Operating Plan
966	Part IV	Provide in the contingency plan a list of emergency equipment including location, physical description, & capabilities of equipment	Required If Requested	335.589(b)(5)	Yes	Not Applicable		Site Operating Plan
967	Part IV	Include in the contingency plan an evacuation plan for personnel including signals for evacuation, route and alternate routes	Required If Requested	335.589(b)(6)	Yes	Not Applicable		Site Operating Plan
968	Part IV	Indicate that copies of the contingency plan will be maintained on-site, submitted to police, fire, hospitals, State & local emergency response services	Required If Requested	335.589(c)(1) & (2)	Yes	Not Applicable		Site Operating Plan

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969	Part IV	Indicate that the contingency plan must be reviewed, and immediately updated, if necessary, whenever the facility permit is revised, the plan fails in an emergency, the facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of waste or constituents of such waste, or changes the response necessary in an emergency or the list of emergency equipment changes	Required If Requested	335.589(d)(1)-(4)	Yes	Not Applicable		Site Operating Plan
970	Part IV	Indicate that at all times, there must be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location of all records within the facility, and the facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.	Required If Requested	335.589(e)	Yes	Not Applicable		Site Operating Plan
971	Part IV	Indicate that whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) shall immediately activate facility alarms or communication systems, where applicable, to notify all facility personnel and notify appropriate state or local agencies with designated response roles if their help is needed.	Required If Requested	335.589(f)(1)(A)-(B)	Yes	Not Applicable		Site Operating Plan
972	Part IV	Indicate that whenever there is a release, fire, or explosion, the emergency coordinator shall immediately identify the character, exact source, amount, and areal extent of any released materials.	Required If Requested	335.589(f)(2)	Yes	Not Applicable		Site Operating Plan
973	Part IV	Indicate that the emergency coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion.	Required If Requested	335.589(f)(3)	Yes	Not Applicable		Site Operating Plan
974	Part IV	Indicate that if the emergency coordinator determines that the facility has had a release, fire, or explosion that could threaten human health, or the environment, outside the facility and if the emergency coordinator's assessment indicates that evacuation of local areas may be advisable, the emergency coordinator shall immediately notify appropriate local authorities, and must be available to help appropriate officials decide whether local areas should be evacuated.	Required If Requested	335.589(f)(4)	Yes	Not Applicable		Site Operating Plan

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975	Part IV	Indicate that the emergency coordinator must notify either government official or National Response Center and provide a report that includes the name & phone number of reporter, name and address of facility, time and type of incident, name and quantity of material involved, extent of injuries, and possible hazards	Required If Requested	335.589(f)(5)(A) - (F)	Yes	Not Applicable		Site Operating Plan
976	Part IV	Indicate that the emergency coordinator shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other waste at the facility	Required If Requested	335.589(f)(6)	Yes	Not Applicable		Site Operating Plan
977	Part IV	Indicate that the emergency coordinator shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate if the facility stops operations in response to a fire, explosion, or release	Required If Requested	335.589(f)(7)	Yes	Not Applicable		Site Operating Plan
978	Part IV	Indicate that the emergency coordinator shall provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility and shall classify all recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility	Required If Requested	335.589(f)(8)	Yes	Not Applicable		Site Operating Plan
979	Part IV	Indicate that the emergency coordinator shall ensure that, in the affected area(s) of the facility, no waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed and all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed	Required If Requested	335.589(f)(9)(A) & (B)	Yes	Not Applicable		Site Operating Plan
983	Part IV	Indicate that nonhazardous industrial waste may be placed above natural grade provided that the conditions in §335.590(24)(F)(i) - (vi) of this title are met, except as provided in §335.590(24)(F)(vii)	Required If Requested	330.179(b)	Yes	Not Applicable		Site Operating Plan
984	Part IV	Provide plans and designs for the placement of nonhazardous waste above natural grade in commercial industrial nonhazardous waste landfill units that is in compliance with the requirements of 335.590(24)(F)	Required If Requested	335.590(24)(F)	Yes	Not Applicable		Site Operating Plan
998	Part IV	Provide for a quarterly report to be submitted that will include volume of waste received, percent solids, and the method of determining the percent solids, processed, disposed, and recycled or reused.	Required	330.9(g)(1)	Yes	Not Applicable		Site Operating Plan
999	Part IV	Provide in the quarterly report, the method(s) utilized to achieve at least 10% recycling or reuse of incoming material	Required	330.9(g)(1)	Yes	Not Applicable		Site Operating Plan
1004	Part IV	Indicate that all wastes generated by a facility must be processed or disposed at an authorized solid waste management facility	Required	330.205(b)	Yes	Not Applicable		Site Operating Plan
1005	Part IV	Indicate that all wastewaters generated by a facility shall be managed as contaminated water in accordance with 330.207	Required	330.205(c)	Yes	Not Applicable		Site Operating Plan

FOR PERMIT PURPOSES ONLY

1006	Part IV	Indicate that the facility shall be designed and operated in a manner that sludges produced pass the Paint Filter Liquids Test.	Required If Requested	330.205(d)	Yes	Not Applicable		Site Operating Plan
1009	Part IV	The owner or operator shall not discharge contaminated water without specific written authorization.	Informational	330.207(a)				Site Operating Plan
1023	Part IV	Provide plans for process area of transfer stations that recover material from putrescible or liquid waste. Such plans shall provide for the storage of processed and unprocessed waste & recycled materials in enclosed buildings, vessels, or containers.	Required If Requested	330.209(c)	Yes	Not Applicable		Site Operating Plan
1024	Part IV	Provide a plan that describes how all waste containing food wastes shall be stored in covered or closed containers that are leak-proof, durable, and designed for safe handling and easy cleaning.	Required	330.211	Yes	Not Applicable		Site Operating Plan
1025	Part IV	Indicate that nonreusable containers shall be of suitable strength to minimize vector scavenging or rupturing.	Required	330.211(1)	Yes	Not Applicable		Site Operating Plan
1026	Part IV	Indicate that reusable containers must be maintained in a clean condition as not to constitute a nuisance, harbor, feed, and propagate vectors.	Required	330.211(2)	Yes	Not Applicable		Site Operating Plan

End of Worksheet.

THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION

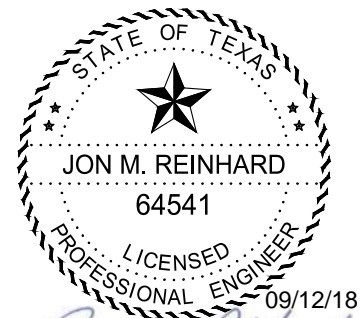
Part I



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0

Prepared by



HANSON PROJECT NO. 16L0438-0003

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TCEQ-0650, Part I Application Form1

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ATTACHMENT 4 – PROPERTY LEGAL DESCRIPTION AND PLAT OF SITE

ATTACHMENT 5 – VERIFICATION OF LEGAL STATUS

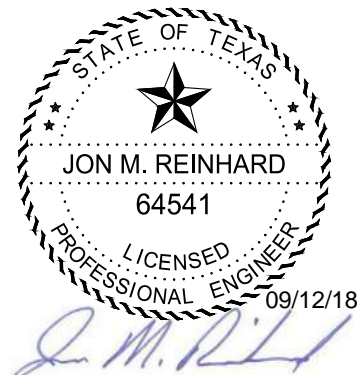
ATTACHMENT 6 – PROPERTY OWNER AFFIDAVIT

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Facility Name: City of Kingsville Landfill
Permittee/Registrant Name: City of Kingsville
MSW Authorization #:235-C
Initial Submittal Date: September 2018
Revision Date: 0



Texas Commission on Environmental Quality
Part I Form for New Permit/Registration and
Amendment Applications for an MSW Facility

1. Reason for Submittal
<input checked="" type="checkbox"/> Initial Submittal <input type="checkbox"/> Notice of Deficiency (NOD) Response
2. Authorization Type
<input checked="" type="checkbox"/> Permit <input type="checkbox"/> Registration
3. Application Type
<input type="checkbox"/> New <input checked="" type="checkbox"/> Major Amendment <input type="checkbox"/> Major Amendment (Limited Scope)
4. Application Fees
<input type="checkbox"/> Pay by Check <input checked="" type="checkbox"/> Online Payment If paid online, e-Pay Confirmation Number: Trace Number: 582EA000315158, Voucher Number: 385823, Voucher Number: 385824
5. Application URL
Is the application submitted for Type I Arid Exempt (AE) and/or Type IV AE facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If the answer is "No", provide the URL address of a publicly accessible internet web site where the application and all revisions to that application will be posted. http://www.cityofkingsville.com/departments/public-works/landfill/landfill-amendment-application/
6. Application Publishing
Party Responsible for Publishing Notice: <input type="checkbox"/> Applicant <input type="checkbox"/> Agent in Service <input checked="" type="checkbox"/> Consultant Contact Name: Title:

7. Alternative Language Notice

Is an alternative language notice required for this application? (For determination refer to Alternative Language Checklist on the Public Notice Verification Form TCEQ-20244-Waste)

Yes No

8. Public Place Location of Application

Name of the Public Place: **City of Kingsville City Hall**
Physical Address: **400 W. King Avenue**
City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78363**
(Area code) Telephone Number: **(361) 595-8004**

9. Consolidated Permit Processing

Is this submittal part of a consolidated permit processing request, in accordance with 30 TAC Chapter 33?

Yes No Not Applicable

If "Yes", state the other TCEQ program authorizations requested:

10. Confidential Documents

Does the application contain confidential documents?

Yes No

If "Yes", cross-reference the confidential documents throughout the application and submit as a separate attachment in a binder clearly marked "CONFIDENTIAL."

11. Permits and Construction Approvals

Permit or Approval	Received	Pending	Not Applicable
Hazardous Waste Management Program under the Texas Solid Waste Disposal Act	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Underground Injection Control Program under the Texas Injection Well Act	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
National Pollutant Discharge Elimination System Program under the Clean Water Act and Waste Discharge Program under Texas Water Code, Chapter 26	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prevention of Significant Deterioration Program under the Federal Clean Air Act (FCAA). Nonattainment Program under the FCAA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
National Emission Standards for Hazardous Air Pollutants Preconstruction Approval under the FCAA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ocean Dumping Permits under the Marine Protection Research and Sanctuaries Act	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Permit or Approval	Received	Pending	Not Applicable
Dredge or Fill Permits under the CWA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Licenses under the Texas Radiation Control Act	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (describe) Air Operating Permit (#3337)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe) Air New Source Registrations (#91376 & #54070L001)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe) Stormwater Permit (#TXR05L074)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. General Facility Information

Facility Name: **City of Kingsville Landfill**

Contact Name: **Pete Pina**

Title: **Landfill Supervisor**

MSW Authorization No. (if available): **235-C**

Regulated Entity Reference No. (if issued)*: **RN102334570**

Physical or Street Address (if available): **348 COUNTY ROAD E 2130**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78363 9653**

(Area Code) Telephone Number: **(361) 595-0092**

Latitude (Degrees, Minutes Seconds): **N 27 26' 41.95"**

Longitude (Degrees, Minutes Seconds): **W 97 48' 55.89"**

Benchmark Elevation (above mean sea level): **52.61** ft.

Provide a description of the location of the facility with respect to known or easily identifiable landmarks: **1.7 Miles SE of the City of Kingsville at the NE corner of the intersection of FM 2619 and CR E 2130**

Detail access routes from the nearest United States or state highway to the facility: **2.57 miles east on CR E 2130 from US 77**

**If this number has not been issued for the facility, complete a TCEQ Core Data Form (TCEQ-10400) and submit it with this application. List the Facility as the Regulated Entity.*

13. Facility Type(s)

Type I

Type IV

Type V

Type I AE

Type IV AE

Type VI

14. Activities Conducted at the Facility

Storage

Processing

Disposal

15. Facility Waste Management Unit(s)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Landfill Unit(s) | <input type="checkbox"/> Incinerator(s) |
| <input type="checkbox"/> Class 1 Landfill Unit(s) | <input type="checkbox"/> Autoclave(s) |
| <input type="checkbox"/> Process Tank(s) | <input type="checkbox"/> Refrigeration Unit(s) |
| <input type="checkbox"/> Storage Tank(s) | <input type="checkbox"/> Mobile Processing Unit(s) |
| <input type="checkbox"/> Tipping Floor | <input type="checkbox"/> Type VI Demonstration Unit |
| <input type="checkbox"/> Storage Area | <input type="checkbox"/> Compost Pile(s) and/or Vessel(s) |
| <input type="checkbox"/> Container(s) | <input checked="" type="checkbox"/> Other (Specify) Brush Storage/Processing |
| <input type="checkbox"/> Roll-off Boxes | <input checked="" type="checkbox"/> Other (Specify) Solidification Area |
| <input type="checkbox"/> Surface Impoundment | <input checked="" type="checkbox"/> Other (Specify) Tire Storage/Processing |

16. Description of Proposed Facility or Changes to Existing Facility

Provide a brief description of the proposed activities if application is for a new facility, or the proposed changes to an existing facility or permit conditions if the application is for an amendment.

This application is for a major amendment to the permit for a horizontal and vertical expansion at the existing landfill. The amendment is requested to increase the volume and extend the site life, to thereby provide for the long-term solid waste disposal needs for the individuals, businesses, and communities in Kingsville, Kleberg County and surrounding areas.

17. Facility Contact Information

Site Operator (Permittee/Registrant) Name: City of Kingsville

Customer Reference No. (if issued)*: **CN600674246**

Contact Name: **Pete Pina**

Title: **Landfill Supervisor**

Mailing Address: **P.O. Box 1458**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 595-0092**

Email Address: **ppina@cityofkingsville.com**

TX Secretary of State (SOS) Filing Number: **N/A**

**If the Site Operator (Permittee/Registrant) does not have this number, complete a TCEQ Core Data Form (TCEQ-10400) and submit it with this application. List the Site Operator (Permittee/Registrant) as the Customer.*

Operator Name¹: Same as Site Operator (Permittee/Registrant)

Customer Reference No. (if issued)*:

Contact Name:

Title:

Mailing Address:

City: County: State: Zip Code:

(Area Code) Telephone Number:

Email Address:

TX SOS Filing Number:

¹If the Operator is the same as Site Operator/Permittee type "Same as "Site Operator (Permittee/Registrant)".

**If the Operator does not have this number, complete a TCEQ Core Data Form (TCEQ-10400) and submit it with this application. List the Operator as the customer.*

Consultant Name (if applicable): Hanson Professional Services Inc.

Texas Board of Professional Engineers Firm Registration Number: **F-417**

Contact Name: **Scot Collins, P.G.**

Title: **Project Manager**

Mailing Address: **4501 Gollihar Road**

City: **Corpus Christi** County: **Nueces** State: **Texas** Zip Code: **78411**

(Area Code) Telephone Number: **(361)814-9900**

E-Mail Address: **scollins@hanson-inc.com**

Agent in Service Name (required only for out-of-state): N/A

Mailing Address:

City: County: State: Zip Code:

(Area Code) Telephone Number:

E-Mail Address:

18. Facility Supervisor's License

Select the Type of License that the Solid Waste Facility Supervisor, as defined in 30 TAC Chapter 30, Occupational Licenses and Registrations, will obtain prior to commencing facility operations.

Class A Class B

19. Ownership Status of the Facility

- | | | |
|--|---|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Federal Government |
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> City Government | <input type="checkbox"/> Other Government |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> County Government | <input type="checkbox"/> Military |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> State Government | <input type="checkbox"/> Other (Specify): |

Does the Site Operator (Permittee/Registrant) own all the facility units and all the facility property?

Yes No

If "No", provide the information requested below for any additional ownership.

Owner Name: N/A

Street or P.O. Box:

City: County: State: Zip Code:

(Area Code) Telephone Number:

Email Address (optional):

20. Other Governmental Entities Information

Texas Department of Transportation District: Corpus Christi

District Engineer's Name: **Christopher D. Caron, P.E.**

Street Address or P.O. Box: **1701 S. Padre Island Drive**

City: **Corpus Christi** County: **Nueces** State: **Texas** Zip Code: **78416**

(Area Code) Telephone Number: **(361) 808-2275**

E-Mail Address (optional):

The Local Governmental Authority Responsible for Road Maintenance (if applicable): Kleberg County

Contact Person's Name: **Roy Cantu**

Street Address or P.O. Box: **433 E. County Road 2310**

City: **Rivera** County: **Kleberg** State: **Texas** Zip Code: **78379**

(Area Code) Telephone Number: **(361) 296-3623**

E-Mail Address (optional):

City Mayor Information

City Mayor's Name: **Sam R. Fugate**

Office Address: **P.O. Box 1458**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 595-8001**

E-Mail Address (optional): **mayor@cityofkingsville.com**

City Health Authority: City-County Health Department

Contact Person's Name: **Emilio H. Garcia**

Street Address or P.O. Box: **P.O. Box 1458**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 592-3324**

E-Mail Address (optional): **healthdirector@cityofkingsville.com**

County Judge Information

County Judge's Name: **Rudy Madrid**

Street Address or P.O. Box: **P. O. Box 752**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 595-8585**

E-Mail Address (optional): **Rmadrid@co.kleberg.tx.us**

County Health Authority: City-County Health Department

Contact Person's Name: **Emilio H. Garcia**

Street Address or P.O. Box: **P.O. Box 1458**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 592-3324**

E-Mail Address (optional): **healthdirector@cityofkingsville.com**

State Representative Information

District Number: **43**

State Representative's Name: **J.M. Lozano**

District Office Address: **635 East King Avenue**

City: **Kingsville** County: **Kleberg** State: **Texas** Zip Code: **78364**

(Area Code) Telephone Number: **(361) 595-1550**

E-Mail Address (optional):

State Senator Information

District Number: **27**

State Senator's Name: **Eddie Lucio, Jr.**

District Office Address: **7 North Park Plaza**

City: **Brownsville** County: **Cameron** State: **Texas** Zip Code: **78521**

(Area Code) Telephone Number: **(956) 548-0227**

E-Mail Address (optional):

Council of Government (COG) Name: Coastal Bend Council of Governments

COG Representative's Name: **John P. Buckner**

COG Representative's Title: **Executive Director**

Street Address or P.O. Box: **P.O. Box 9909**

City: **Corpus Christi** County: **Nueces** State: **Texas** Zip Code: **78469-9909**

(Area Code) Telephone Number: **(361) 883-5743**

E-Mail Address (optional): **john@cbcog98.org**

River Basin Authority Name: Nueces River Authority

Contact Person's Name: **Con Mims**

Watershed Sub-Basin Name:

Street Address or P.O. Box: **400 Mann St, Suite 1002**

City: **Corpus Christi** County: **Nueces** State: **Texas** Zip Code: **78401-2045**

(Area Code) Telephone Number: **(361) 653-2110**

E-Mail Address (optional):

Coastal Management Program

Is the facility within the Coastal Management Program boundary?

Yes No

U.S. Army Corps of Engineers

The facility is located in the following District of the U.S. Army Corps of Engineers:

Albuquerque, NM Galveston, TX
 Ft. Worth, TX Tulsa, OK

Local Government Jurisdiction

Within City Limits of: **N/A**

Within Extraterritorial Jurisdiction of: **City of Kingsville**

Is the facility located in an area in which the governing body of the municipality or county has prohibited the storage, processing or disposal of municipal or industrial solid waste?

Yes No

(If "Yes", provide a copy of the ordinance or order as an attachment):

Signature Page

I, Jesus A. Garza,
(Site Operator (Permittee/Registrant)'s Authorized Signatory)

City Manager,
(Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Handwritten Signature]

Date: 9/14/18

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said Jesus A. Garza

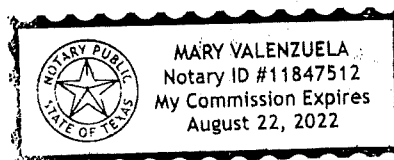
On this 14 day of September 2018

My commission expires on the 22 day of August 2022

Mary Valenzuela
Notary Public in and for

Kleberg County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)



Part I Attachments

(See Instructions for P.E. seal requirements.)

Required Attachments

Supplementary Technical Report

Property Legal Description

Property Metes and Bounds Description

Facility Legal Description

 Facility Metes and Bounds Description

 Metes and Bounds Drawings

 On-Site Easements Drawing

Land Ownership Map

Land Ownership List

 Electronic List or Mailing Labels

Texas Department of Transportation (TxDOT) County Map

General Location Map

General Topographic Map

Verification of Legal Status

Property Owner Affidavit

Evidence of Competency

Additional Attachments as Applicable- Select all those apply and add as necessary

TCEQ Core Data Form(s)

Signatory Authority Delegation

Fee Payment Receipt

Confidential Documents

Waste Storage, Processing and Disposal Ordinances

Final Plat Record of Property

Certificate of Fact (Certificate of Incorporation)

Assumed Name Certificate

Attachment No.

Attachment 1

Attachment 4, Appendix 1

Attachment 4, Appendix 1

Attachment 4, Appendix 2

Attachment 4, Appendix 2

Attachment 4, Appendix 2

Attachment 4, Appendix 2

Attachment 3, Figure I.3-1

Attachment 3, Figure I.3-2

Attachment 3, Appendix 1

Attachment 2, Figure I.2-2

Attachment 2, Figure I.2-1

Attachment 2, Figure I.2-3

Attachment 5

Attachment 6

Attachment 7

Attachment 8

Attachment 9

Attachment 10

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 1
SUPPLEMENTARY TECHNICAL REPORT

THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION

Part I

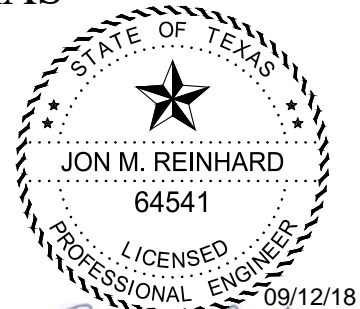
Attachment 1

Supplementary Technical Report



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0



Prepared by



HANSON PROJECT NO. 16L0438-0003

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1 SUPPLEMENTARY TECHNICAL REPORT

This supplementary technical report presents a detailed facility description, an overview of the project, as well as the types of waste that will be accepted at the facility.

1.1 Facility Description

The City of Kingsville Landfill (Kingsville Landfill) is an existing, Type I and Type IV municipal solid waste disposal facility (Permit No. MSW 235-B). The current permit boundary encompasses about 120 acres out of the 196.88 acre property boundary. In the current permit (235-B), approximately 90 acres are designated for Type I waste while 24 acres are designated for Type IV waste. Approximately 40 acres of the area designated for Type I waste have been developed. The existing lined areas correspond to Type I Sectors 1, 2, 3, and 4, all of which are still active. Sectors 1, 2 and 3 have intermediate covers while sector 4 is currently filling. Only about 10 acres of the area designated for Type IV waste have been developed.

Non-waste disposal areas included on the property include a scale house, office building and a maintenance shop.

1.2 Permit History

The site was originally permitted by the State of Texas in 1977. The initial facility was permitted (Permit No. 235) to receive 863,534 cubic yards (cy) of solid waste and initial filling operations began in February 1977. This original 40 acre site, began waste disposal operation at an approximate elevation of 40 MSL, progressed upwards in 4-foot layers, filled, and closed in March 1992. The floor soil of this sector was stabilized with bentonite. The original 40 acre sector, Permit 235, is closed and is not Subtitle D compliant.

The City of Kingsville received a permit amendment for an additional 40-acre lateral landfill expansion of the site in 1986 (Permit No. 235-A). The approved Permit 235-A, was developed and the configuration of the approximately 20-acre Sector 1, received the first load of waste material in March 1992.

Permit No. 235-B was issued in 1999, increasing the permitted acreage from 80 acres to approximately 120 acres and a maximum height of final cover of 125 feet-msl. Kingsville Landfill is currently operating under the 1999 permit requirements and subsequent permit modifications or authorizations. At the current gate rate, the estimated site life remaining is approximately 43 years.

The following table summarizes the list of permits obtained for the operation of Kingsville over the years.

TABLE 1: PERMIT HISTORY SUMMARY

PERMIT NUMBER	TYPE	DATES
235	I	1977 to 1992
235-A	I	1986 to 1999
235-B	I and IV	1999 to Present

1.3 Project Overview

The purpose of this permit amendment is to increase the capacity of the landfill site via a vertical and horizontal expansion. The existing active approximately 118.4 acre permitted area will be expanded to a total of 176.33-acres (121.3-acre waste disposal footprint). This increase will include approximately 19.45-acres to the northeast of the permitted boundary which is currently being used as a soil borrow pit and another approximately 38.45-acres to the southwest, in the area of the closed Pre-Subtitle D landfill area (Permit No. 235). The closed Pre-Subtitle D landfill area will be overlined with Subtitle D compliant liner and will receive additional waste.

The vertical expansion will include; placing additional waste on top of the closed pre-subtitle D landfill area, increasing the depth of the landfill excavation in the areas that have not yet been lined, increasing the landfill's maximum elevation and modifying the slopes on top of the landfill. The revised elevation of the deepest excavation will be 22.5 feet-msl and the maximum final cover elevation will be increased from 125 feet-msl to 200 feet-msl. Details of the revised floor contours, as well as the modified final cover contours and cross sections are provided in Part III, Attachment 1, Figures III.1-3, III.1-4, III.2-1 and III.2-5.

The vertical and horizontal expansion will result in a capacity increase of 12,455,714 cubic yards of waste and daily cover, or approximately 5,150,438 tons of waste capacity. Making the total remaining waste disposal capacity 15,225,000 cubic yards of waste and daily cover, or approximately 6,295,538 tons of remaining waste disposal capacity. This landfill expansion will provide for the long-term disposal needs of Kleberg County, and surrounding communities.

Other parts of this permit amendment are to; convert the existing Type IV Sectors to Type I Sectors, request for approval to process and dispose of additional special wastes including liquid wastes and used tires (Refer to Part II, Section 2 and Part IV - Site Operating Plan, for a more detailed discussion), and to revise the floor contour and final contour plans to incorporate the modifications discussed in previous paragraphs.

1.4 Nature of Business and Solid Waste Data

The existing City of Kingsville Landfill serves residences and businesses in Kleberg County and portions of several surrounding counties, including Nueces, Jim Wells, Brooks and Kenedy. This service area is based on current economic conditions. As economic and available landfill disposal capacity change, the landfill may accept waste from areas other than those noted above.

Kingsville Landfill (current MSW Permit No. 235-B) receives approximately 100.46 tons of waste per day for disposal, six days a week (313 days), or 31,444 tons of waste per year for disposal. Types of waste accepted (currently and under the new permit amendment) for disposal include residential and commercial municipal solid waste, including household wastes, brush, construction/demolition waste and special wastes as authorized by the TCEQ. Wastes currently not accepted at the landfill include hazardous wastes, prohibited wastes, radioactive wastes, industrial wastes, some special wastes including batteries and friable asbestos. See Part II, Section 2 for a more detailed breakdown of the quantities, types and characteristics of wastes accepted at the facility.

The life expectancy of the existing permitted sectors is approximately 43 years. The expected rate of solid waste deposition is anticipated to increase at approximately one (1) percent per year (corresponding to the anticipated growth in population) according to information provided by the Texas State Data Center. Based on the anticipated annual growth rate, the expanded facility will last approximately 98 years. See Part II, Section 2.2 and Part III, Section 5.3 for a detailed analysis of the projected life of the expanded site.

The following table provides a summary of the current permitted conditions and proposed permit conditions.

TABLE 2: PERMIT CONDITION SUMMARY

	CURRENT CONDITIONS	PROPOSED CONDITIONS
Permitted Area	120 acres	176.33 acres
Total Permitted Capacity	Type I - 4,993,000 cy <u>Type IV - 820,000 cy</u> 5,813,000 cy	17,994,286 cy
Total Remaining Capacity	1,258,576 tons 3,043,714 cy	6,295,538 tons 15,225,000 cy
Remaining Projected Site Life	43	98
Maximum Elevation of Final Cover (msl)	125	200
Elevation of Deepest Excavation (msl)	42.5	22.5

2 FACILITY LOCATION §330.59(b)

2.1 Location Description

The City of Kingsville Landfill is located southeast of the City of Kingsville at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130. Kingsville Landfill is outside the City of Kingsville city limits which are approximately 1.45 miles from the northeast corner of the landfill boundary. It however falls within the City of Kingsville's extraterritorial jurisdiction.

2.1 Facility Name, Address and Telephone

Name:	City of Kingsville Municipal Solid Waste Landfill
MSW Permit No:	235-C
Physical Address:	348 East C.R. 2130 Kingsville, TX 78363
Mailing Address:	P.O Box 1458 Kingsville, TX 78364
Telephone:	(361) 595-0092

2.2 Access Routes

The main local public roadways providing access to the facility are East County Road 2130 (E CR 2130), Farm to Market Road 2619 (FM 2619) and Farm to Market Road 1717 (FM 1717). The entrance to the City of Kingsville Landfill is via an existing 24-foot-wide roadway. Refer to Part II, Section 9 - Transportation for more detailed transportation information. Refer to Part I, Attachment 2, Figure I.2-2 - General Highway Map - Kleberg County for the location of the facility in relation to the surrounding roads.

2.3 Geographic Coordinates

The latitudinal and longitudinal geographic coordinates of the permanent site benchmark are:

Latitude: N 27° 26' 41.95"

Longitude: W 97° 48' 55.89"

Elevation (above msl): 52.60 feet

3 MAPS §330.59(c)

3.1 General Location Map §330.59(c)(1)-(2)

The following maps collectively as a group, comply with the rule requirements of §330.59(c)(1)-(2) and §305.45. These general location maps are included in Part I, Attachment 2 - General Location Maps.

Figure I.2-1 – General Location Map

Figure I.2-2 – General Highway Map - Kleberg County (Texas Department of Transportation, General Highway Map for Kleberg County, Texas)

Figure I.2-4 – Aerial Photograph

Figure I.2-5 – Facility Layout

3.2 Topographic Map

Figure I.2-3 – General Topographic Map (USGS General Topographic Map for the Ricardo, Texas Quadrant)

3.3 Land ownership and Mineral Interests Map

A Land Ownership Map and Land Owners List are included in Part I, Attachment 3. The map and list reflect current property ownership within one-quarter (1/4) mile of the permit boundary and all mineral interest ownership under the facility, as derived from the real property appraisal records as listed on the date that this application was filed. Refer to Figure I.3-1 for location of the properties and Figure I.3-2 for property ownership list. The map and list meet the requirements of 30 TAC §330.59(c)(3), and §281.5. The property ownership list in electronic form is provided in Part I, Attachment 3, Appendix 1, per the requirements of 30 TAC §330.59(c)(3)(B).

Figure I.3-1 – Adjacent Land Ownership Map

Figure I.3-2 – Land Owners List

4 CHARACTER OF THE ADJACENT LAND §305.45(a)(6)

The following sections provide an overview of the various land use conditions of the surrounding area.

- 1) Wind Direction. The nearest reporting station is Corpus Christi, located to the northeast of the landfill site. A wind rose is included as part of Part I, Attachment 2, Figure I.2-1 The wind is predominantly from the southeast.
- 2) Water Wells. A well search was performed using the Texas Department of Licensing and Regulation's (TDLR) State of Texas Well Report Submission and Retrieval System, developed by the Texas Water Development Board in cooperation with the TDLR and the Texas Water Information Network. Based on this search, one well (Tracking Number 178262) is identified within 500 feet of the City of Kingsville Landfill site. During a site reconnaissance visit, this well was not confirmed to be located at the identified location (near the intersection of CR 2130 and CR 2619) and is believed to be plotted incorrectly based on available data.
- 3) Existing Structures. The number of structures located within 500 feet of the landfill were determined through a visual reconnaissance and review of aerial photography. Approximately four (4) non-habitable structures are located within the 500-foot boundary of the City of Kingsville Landfill. These structures are associated with agricultural activities within the surrounding areas. Within the permitted boundary of the site, there is a scale house, an office building, and a maintenance shop, (see Part I, Attachment 2, Figure I.2-5 and Part III, Attachment 1, Figures III.1-2 and III.1-14).
- 4) Special Use areas. A visual reconnaissance and available records search revealed that other than the City of Kingsville Landfill, there are no active disposal facilities located within one mile of the landfill. Surrounding land uses include agriculture (crop land and pasture) with a few remote residences interspaced within the agricultural areas. There are no known licensed day care facilities, hospitals, cemeteries, ponds, or lakes within one mile of the permitted boundary of the landfill.
- 5) Area Streams. The nearest stream to the City of Kingsville Landfill is the Santa Gertrudis Creek. Santa Gertrudis Creek is located about 3,000 feet to the northeast of the northeast corner of the current site and about 2,000 feet to the northeast of the northeast corner of the proposed easterly expansion. No perennial or intermittent streams are located within 500 feet of the location of the proposed expansion.

- 6) Airports. The nearest airfield is the non-public-use Kingsville Naval Air Station (NAS-Kingsville) located northeast of the landfill. The north landfill boundary line is approximately 2.73 miles to the end of the nearest runway and falls within the 6 miles jurisdictional limit of the regulatory airport restrictions. NAS-Kingsville personnel have been notified of the proposed development and how it may impact their activities. The Kingsville Naval Air Station has provided notice that the airfield operations will not be adversely affected by the development. A detailed discussion on airports within the proximity of the landfill site can be found in Part II, Section 9.5. as well as correspondence with NAS-Kingsville and the FAA can be found in Part II, Section 9.5.
- 7) Easements. There is one (1) known aerial electrical line easement within the permitted boundary of the City of Kingsville Landfill.
- 8) Historic Sites. A review of the Texas Historical Commission's database for a one-mile radius and visual observations indicated that no historic sites are present. A detailed discussion on historic sites within one-mile of the landfill site can be found in Part II, Section 15 as well as applicable correspondence with the Texas Historical Commission can be found in See Part II, Attachment 7.

5 PROPERTY OWNER INFORMATION §330.59(d)

5.1 Legal Description

The legal description for the City of Kingsville Landfill property boundary and the Kleberg County Clerk's file number are included in Part I, Attachment 4, Appendix 1. The drawing of the property boundary metes and bounds is included in Part I, Attachment 4, Appendix 1.

The legal description for the City of Kingsville Landfill permit boundary and the Kleberg County Clerk's file number are included in Part I, Attachment 4, Appendix 2. The drawing of the permit boundary metes and bounds is included in Part I, Attachment 4, Appendix 2.

5.2 Ownership

Kingsville Landfill is owned and operated by the City of Kingsville (City). The facility services residences and businesses within Kleberg County and portions of several surrounding counties, including Nueces, Jim Wells, Brooks and Kenedy.

5.3 Property Owner Affidavit

The property owner affidavit for this permit amendment application found in Part I, Attachment 6 meets the requirements of §330.59(d)(2).

6 LEGAL AUTHORITY §330.59(e)

The legal authority and status of the applicant has been verified as required by §330.59(e) and §281.5 and is included in Part I, Attachment 5 – Verification of Legal Status. The City of Kingsville owns and operates the City of Kingsville Landfill. No other person or entity owns more than 20 percent of the facility.

7 EVIDENCE OF COMPETENCY §330.59(f)

Kingsville Landfill is owned and operated by the City of Kingsville (City). The landfill serves residences and businesses within Kleberg County and portions of surrounding Texas counties. The City has been providing waste disposal since the 1970's and has successfully operated the municipal landfill operation. The City does not own and has not operated any other solid waste sites, in Texas or any other state. It has, to this date, complied with all regulations and requirements set forth by the regulatory agency and most currently, Texas Commission on Environmental Quality (TCEQ). Evidence of Competency for the City of Kingsville Landfill is provided in Part I, Attachment 7.

8 APPOINTMENTS §330.59(g)

Part I, Attachment 9 provides documentation that the person signing the application meets the requirements of §305.44 of this title (relating to Signatories to Applications). Article V, Section 31 of the City of Kingsville Charter, establishes that the City Manager is the chief administrative and executive officer of the City. As the City's executive officer, the City Manager has the authority to sign this application and to delegate signatory responsibility related to the permit amendment application.

9 OTHER PERMITS AND AUTHORIZATIONS §305.45(a)(7)

Section 11 of the TCEQ Part I Form for New Permit/Registration and Amendment Applications for an MSW Facility (TCEQ-0650) contains the required information relating to additional permits or approvals. The City of Kingsville currently has Standard Air Operating Permit (#3337), Air New Source Registration (#91376), Air New Source Registration (#54070L001) and General Permit to Discharge Under The Texas Pollutant Discharge Elimination System (TPDES) under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code (#TXR05L074).

10 APPLICATION FEES §330.59(h)

In accordance with §330.59(h), The City of Kingsville has made payment of \$150.00. This fee was paid to TCEQ online via the TCEQ ePay online payment system, the receipt is provided in Part I, Attachment 10.

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 2
GENERAL LOCATION MAPS

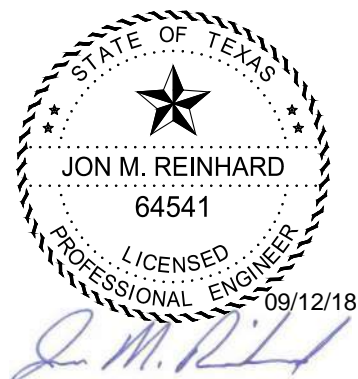
Figure I.2-1 – General Location Map

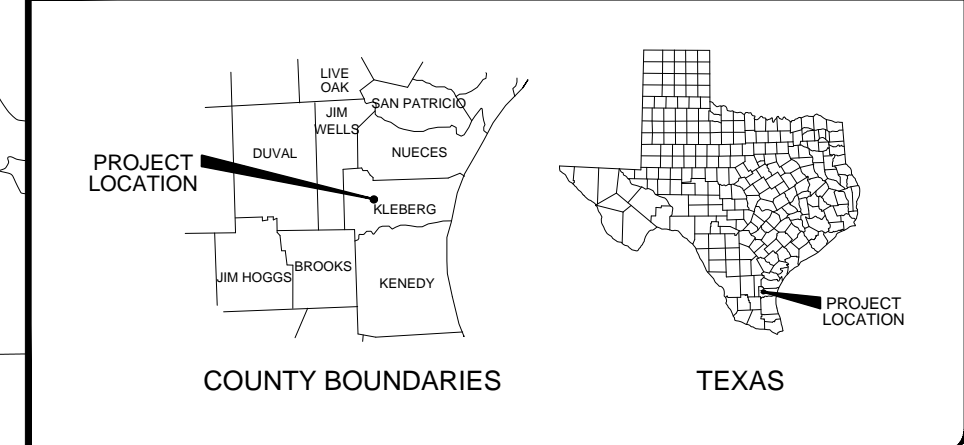
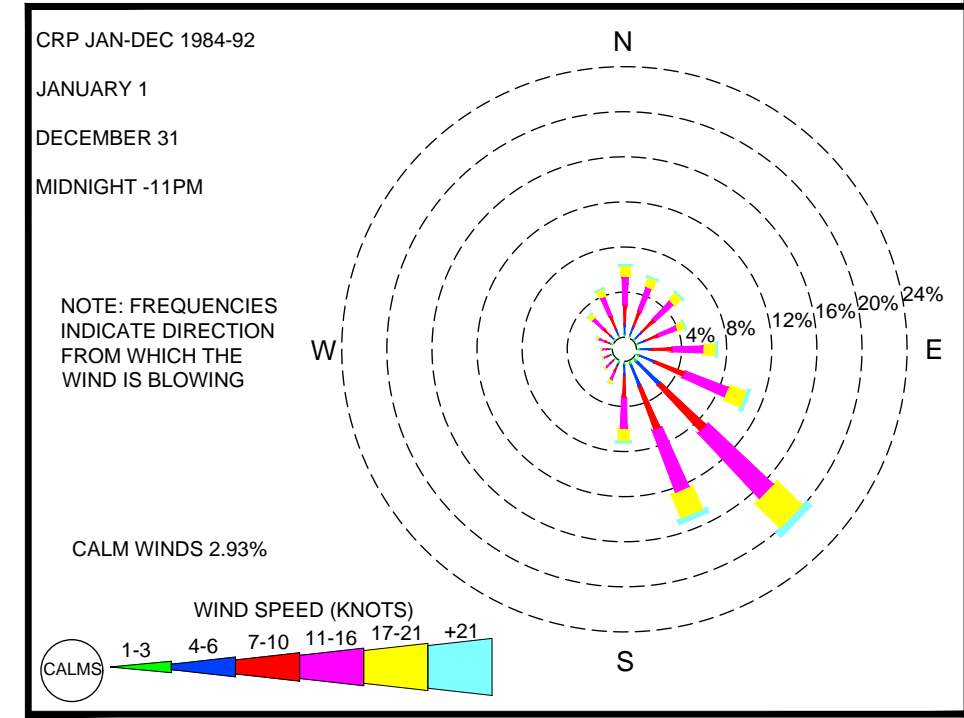
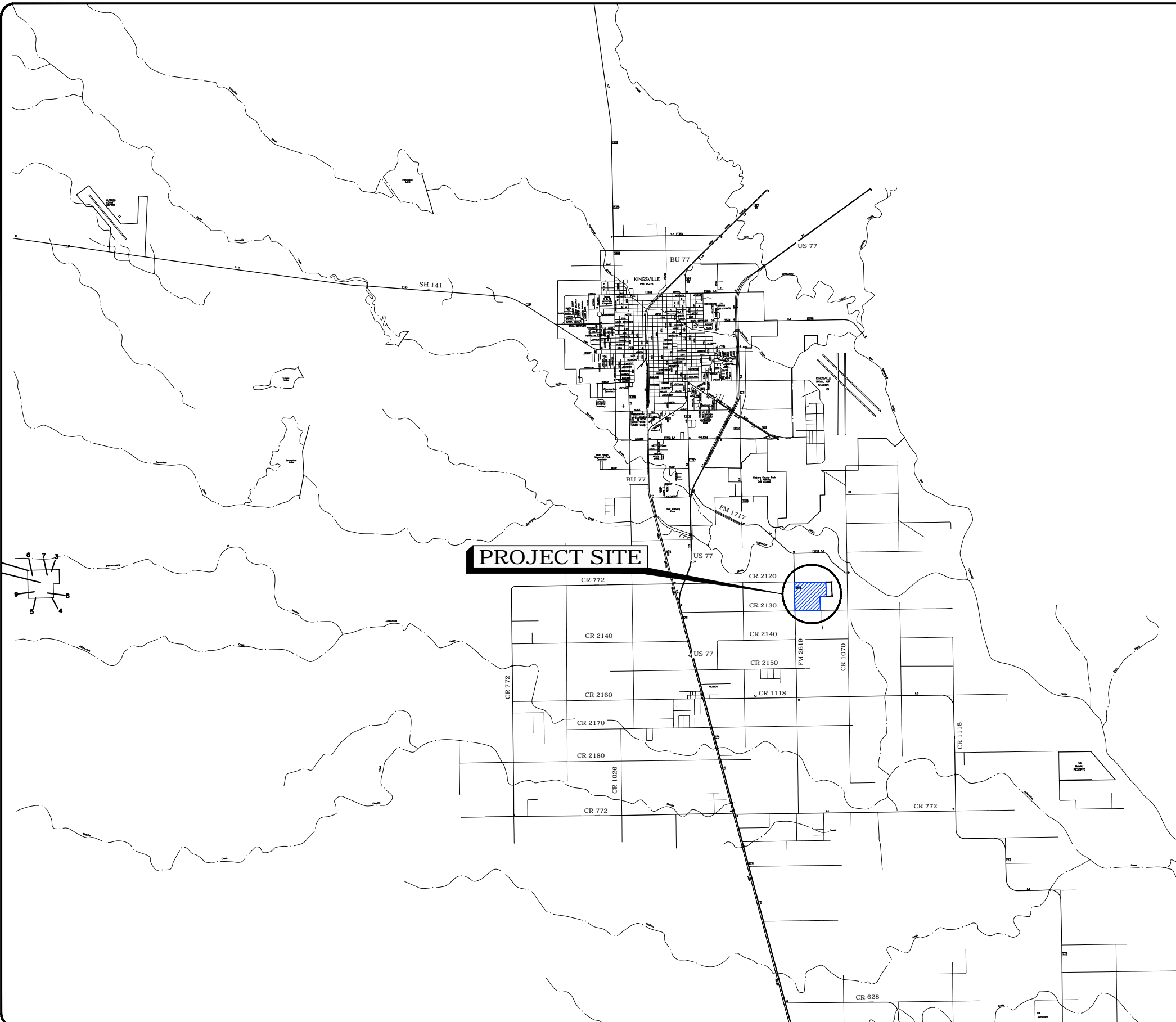
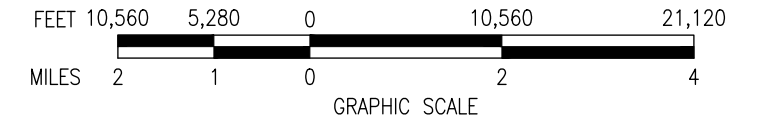
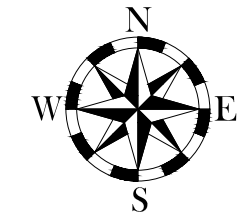
Figure I.2-2 – TXDOT County Map – Kleberg County

Figure I.2-3 – General Topographic Map

Figure I.2-4 – Aerial Photograph

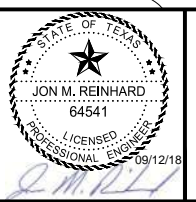
Figure I.2-5 – General Facility Layout Plan





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NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



Hanson No.	1610438
Filename	8514-SITE
Scale	AS SHOWN
Date	09/12/2018

LAYOUT	DT	09/12/2018
DRAWN	DT	09/12/2018
REVIEWED	JMR	09/12/2018

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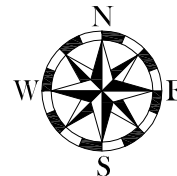
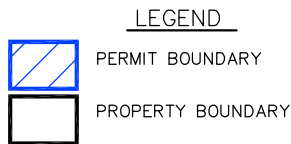
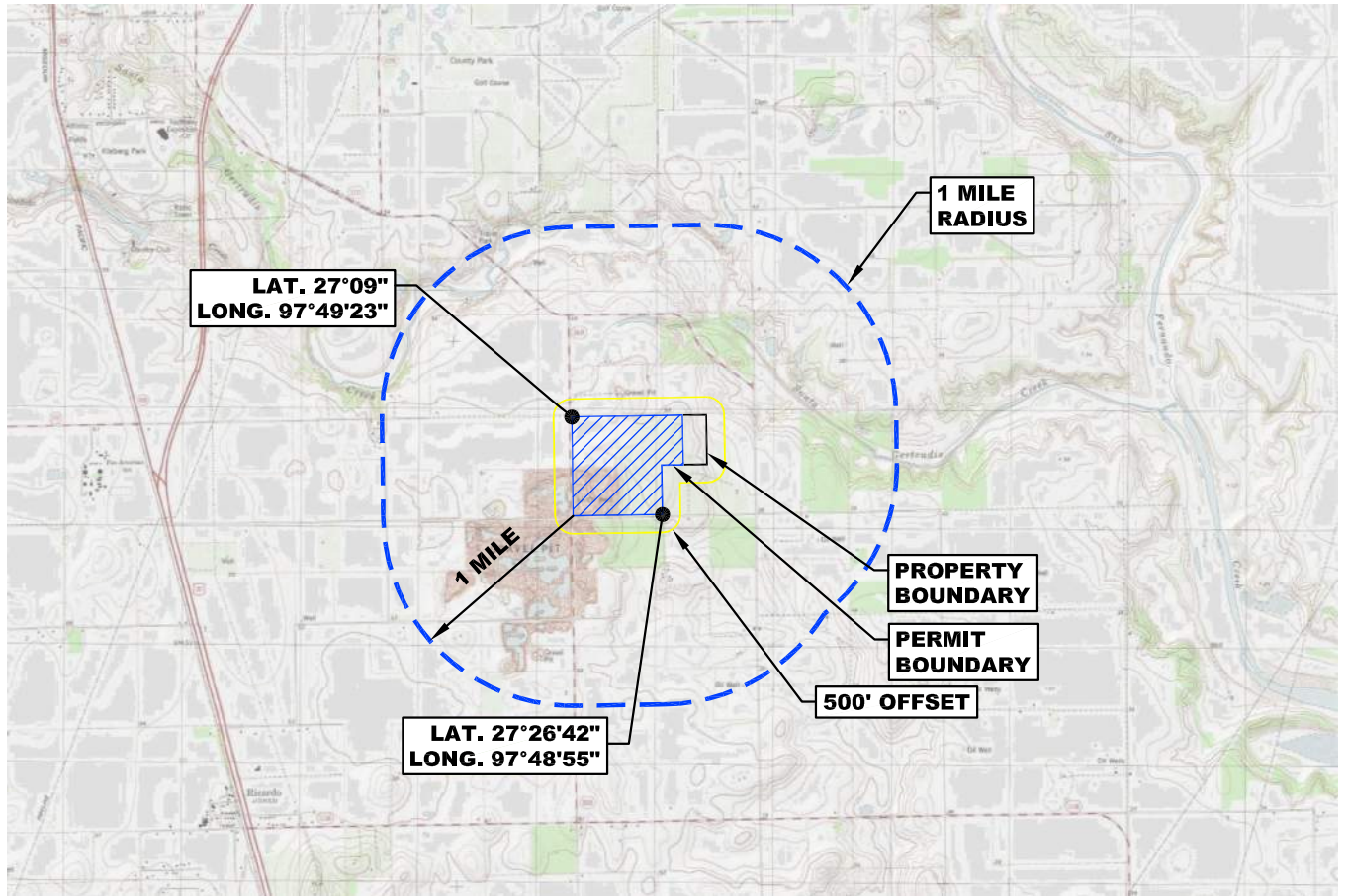
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**PART I-ATTACHMENT 2
 GENERAL LOCATION MAP
 CITY OF KINGSVILLE LANDFILL**

MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

**FIGURE:
 1.2-1**

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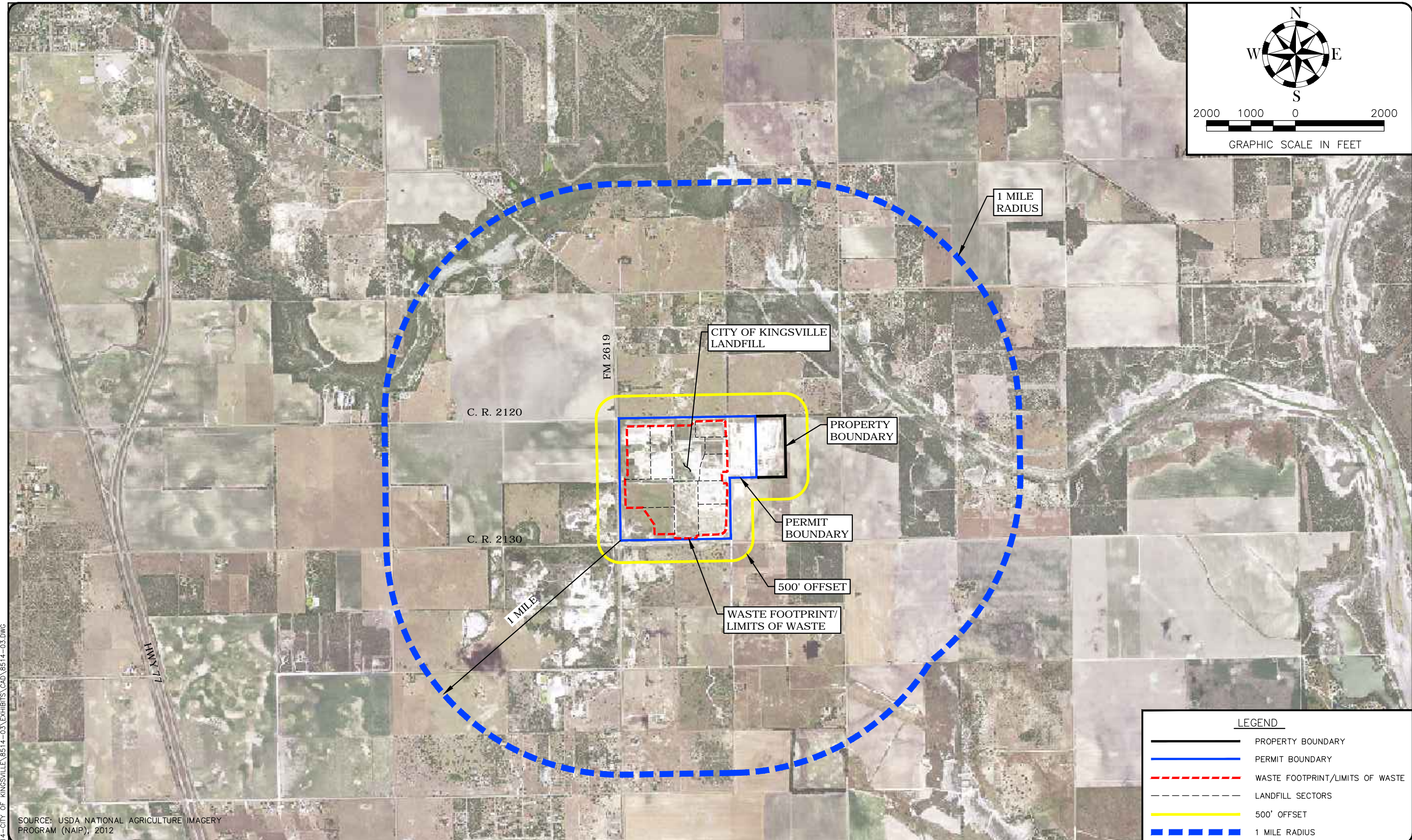
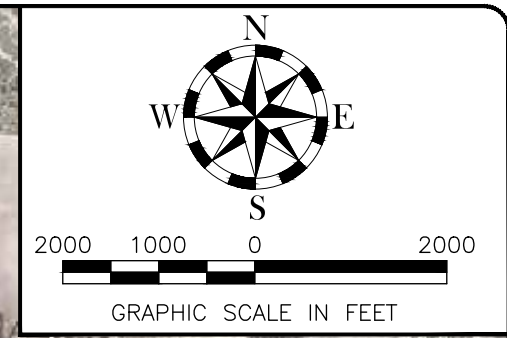
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**PART I-ATTACHMENT 2
 GENERAL TOPOGRAPHIC MAP
 CITY OF KINGSVILLE LANDFILL**

MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

Drawn By: DT	Appr. By: KM	Scale: N.T.S.	Dwg. File: 8514-03
Checked By: KM	Project No.: 16L0438	Date: 09/12/2018	Rev.:

FIGURE: **1.2-3**

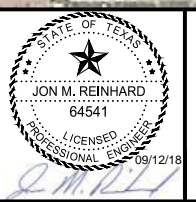


LEGEND	
	PROPERTY BOUNDARY
	PERMIT BOUNDARY
	WASTE FOOTPRINT/LIMITS OF WASTE
	LANDFILL SECTORS
	500' OFFSET
	1 MILE RADIUS

SOURCE: USDA NATIONAL AGRICULTURE IMAGERY PROGRAM (NAIP), 2012

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NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



Hanson No.	1610438
Filename	8514-03
Scale	AS SHOWN
Date	09/12/2018
LAYOUT	DT 09/12/2018
DRAWN	DT 09/12/2018
REVIEWED	JMR 09/12/2018

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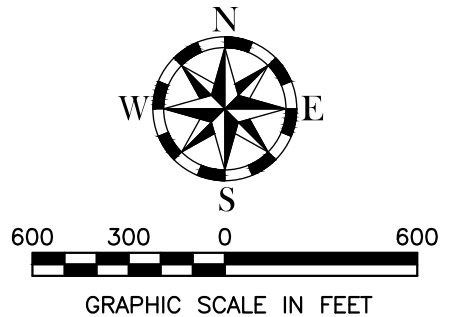
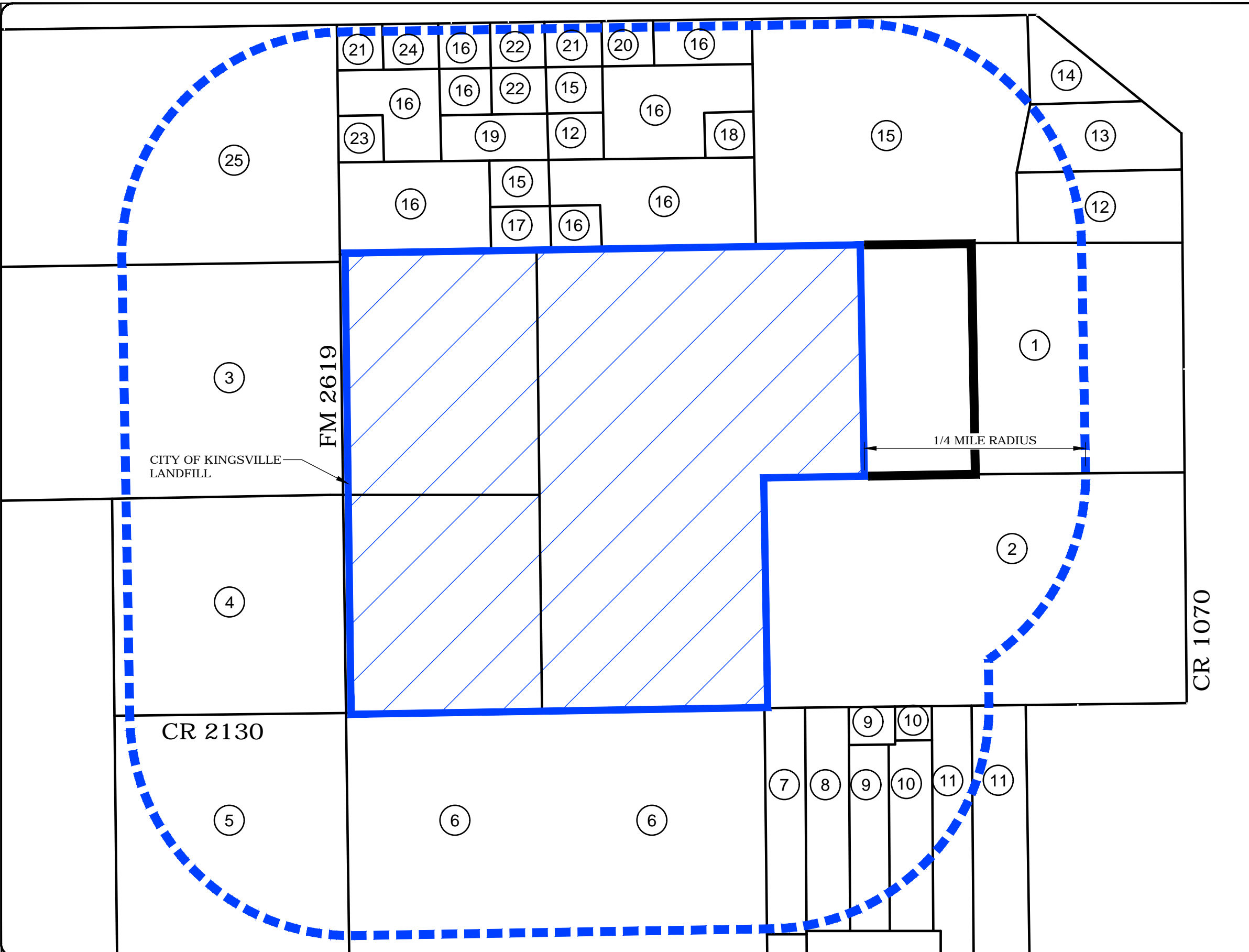
**PART I-ATTACHMENT 2
 AERIAL PHOTOGRAPH
 CITY OF KINGSVILLE LANDFILL**
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

**FIGURE:
 1.2-4**

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 3
LAND OWNERSHIP MAP AND LAND OWNERS LIST

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 3
FIGURE I.3-1
LAND OWNERSHIP MAP

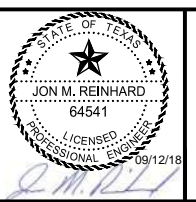
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LEGEND

- ① ADJACENT PROPERTY NO. (SEE PART I, ATTACHMENT 3, FIGURE I.3-2 FOR PROPERTY OWNERS).
- PERMIT BOUNDARY
- - - - - 1/4 MILE RADIUS
- ADJACENT PROPERTY BOUNDARY

NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



Hanson No.	1610438
Filename	8514-03
Scale	AS SHOWN
Date	09/12/2018
LAYOUT	DT 09/12/2018
DRAWN	DT 09/12/2018
REVIEWED	JMR 09/12/2018

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PART I-ATTACHMENT 3
LAND OWNERSHIP MAP
CITY OF KINGSVILLE LANDFILL

MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

FIGURE:
1.3-1

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 3
FIGURE I.3-2
LAND OWNERS LIST

Land Ownership List

(Cross-Referenced To Part I, Attachment 3, Figure I.3-1 - Land Ownership Map)

ADJACENT PROPERTY NO.	LANDOWNER NAME	MAILING ADDRESS
1	CITY OF KINGSVILLE	PO BOX 1458 KINGSVILLE, TX 78364-1458
2	DARRIN LEE RADFORD	WILLIAM DEAN RADFORD 238 N COUNTY ROAD 1080 KINGSVILLE, TX 78363-2623
3	MICHAEL DEW YEARY	ETUX NANCY 523 N COUNTY ROAD 1020 KINGSVILLE, TX 78363-2677
4	KLEBERG COUNTY TRUSTEE	PO BOX 1457 KINGSVILLE, TX 78364-1457
5	KINGSVILLE MATERIALS INC	PO BOX 1533 KINGSVILLE, TX 78364-1533
6	OLIVERO HINOJOSA JR	EMMA HINOJOSA PO BOX 5390 KINGSVILLE, TX 78364-5390
7	ENEDELIA M SAENZ	148 E COUNTY ROAD 2170 KINGSVILLE, TX 78363-2601
8	LAURA ANITA MERCADO	1301 E JOHNSTON AVE KINGSVILLE, TX 78363-5921
9	SUBELDA M ORTEGON	426 GARCIA HILL RD KINGSVILLE, TX 78363
10	NELDA BASALDUA	PO BOX 1223 KINGSVILLE, TX 78364-1223
11	MARIO MARTINEZ	3401 DAFFODIL AVE MCALLEN, TX 78501-5807
12	WOELFEL CHARLES R FAMILY TRUST	RUTH WOELFEL (TR) 1909 DEBBIE DR BRYAN, TX 77802-2006
13	IRBY PROPERTIES INC 401K TRUST	811 E CO RD 2198 KINGSVILLE, TX 78363
14	ROGER ZIMMERMAN	1302 BALL ST GALVESTON, TX 77550-5019
15	STANLEY R WOELFEL	202 E COUNTY ROAD 2120 KINGSVILLE, TX 78363-8866

FOR PERMIT PURPOSES ONLY

ADJACENT PROPERTY NO.	LANDOWNER NAME	MAILING ADDRESS
16	BETTY ANN ALEXANDER	725 N SPAULDING AVE LOS ANGELES, CA 90046-7421
17	JOSIE WILDNER	ETAL & VERLENE T CITZLER 7755 CITZLER RD LA GRANGE, TX 78945-4211
18	SUEMAUR EXPLORATION AND PRODUCTION LLC	539 N CARANCAHUA ST #1100 CORPUS CHRISTI, TX 78401-0999
19	REGINA WELGE FAMILY PARTNERSHIP LTD	413 S GREEN ST LONGVIEW, TX 75601-7534
20	STEVEN HEINEMAN	1000 N LAKE SHORE PLZ APT 31B CHICAGO, IL 60611-5154
21	RITA M MCCAULEY EST	DAVID CHARLES MCCAULEY JR (IND EXEC) 9674 PAULA DR CORPUS CHRISTI, TX 78410
22	ALFRED OTTO EST	% STANLEY WOELFEL 202 E COUNTY ROAD 2120 KINGSVILLE, TX 78363-8866
23	ELAINE A MENN (LIFE EST)	LINDA & KENNETH 290 E FM 1118 KINGSVILLE, TX 78363
24	LOUIS HUEBNER EST	8704 DRIFTWOOD DR COLLEGE STATION, TX 77845-5573
25	STANLEY R WOELFEL	ETUX SYLVIA J 202 E COUNTY ROAD 2120 KINGSVILLE, TX 78363-8866

Adjacent Landownership information derived from the real property appraisal records as listed on the Kleberg County Appraisal District Online Property Search as of September 12, 2018.

Mineral Interest Ownership Under The Facility

Mineral interest ownership information for under the facility was not available from the real property appraisal records listed on the Kleberg County Appraisal District Online Property Search as of September 12, 2018.

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 3
APPENDIX 1
ELECTRONIC FORMAT LAND OWNERS LIST

FOR PERMIT PURPOSES ONLY

Adjacent Land-Owners Electronic Mailing List

(Adjacent Landownership information derived from the real property appraisal records as listed on the Kleberg County Appraisal District Online Property Search as of September 12, 2018.)

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE TX 78364-1458

DARRIN LEE RADFORD
WILLIAM DEAN RADFORD
238 N COUNTY ROAD 1080
KINGSVILLE TX 78363-2623

MICHAEL DEW YEARY
ETUX NANCY
523 N COUNTY ROAD 1020
KINGSVILLE TX 78363-2677

KLEBERG COUNTY TRUSTEE
PO BOX 1457
KINGSVILLE TX 78364-1457

KINGSVILLE MATERIALS INC
PO BOX 1533
KINGSVILLE TX 78364-1533

OLIVERO HINOJOSA JR
EMMA HINOJOSA
PO BOX 5390
KINGSVILLE TX 78364-5390

ENEDELIA M SAENZ
148 E COUNTY ROAD 2170
KINGSVILLE TX 78363-2601

LAURA ANITA MERCADO
1301 E JOHNSTON AVE
KINGSVILLE TX 78363-5921

SUBELDA M ORTEGON
426 GARCIA HILL RD
KINGSVILLE TX 78363



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NELDA BASALDUA
PO BOX 1223
KINGSVILLE TX 78364-1223

MARIO MARTINEZ
3401 DAFFODIL AVE
MCALLEN TX 78501-5807

WOELFEL CHARLES R FAMILY TRUST
RUTH WOELFEL (TR)
1909 DEBBIE DR
BRYAN TX 77802-2006

IRBY PROPERTIES INC 401K TRUST
811 E CO RD 2198
KINGSVILLE TX 78363

ROGER ZIMMERMAN
1302 BALL ST
GALVESTON TX 77550-5019

STANLEY R WOELFEL
202 E COUNTY ROAD 2120
KINGSVILLE TX 78363-8866

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LOS ANGELES CA 90046-7421

JOSIE WILDNER
ETAL & VERLENE T CITZLER
7755 CITZLER RD
LA GRANDE TX 78945-4211

SUEMAUR EXPLORATION AND PRODUCTION LLC
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CORPUS CHRISTI TX 78401-0999

REGINA WELGE FAMILY PARTNERSHIP LTD
413 S GREEN ST
LONGVIEW TX 75601-7534

STEVEN HEINEMAN
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CHICAGO IL 60611-5154

FOR PERMIT PURPOSES ONLY

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DAVID CHARLES MCCAULEY JR (IND EXEC)
9674 PAULA DR
CORPUS CHRISTI TX 78410

ALFRED OTTO EST
% STANLEY WOELFEL
202 E COUNTY ROAD 2120
KINGSVILLE TX 78363-8866

ELAINE A MENN (LIFE EST)
LINDA & KENNETH
290 E FM 1118
KINGSVILLE TX 78363

LOUIS HUEBNER EST
8704 DRIFTWOOD DR
COLLEGE STATION TX 77845-5573

STANLEY R WOELFEL
ETUX SYLVIA J
202 E COUNTY ROAD 2120
KINGSVILLE TX 78363-8866

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 4
LEGAL DESCRIPTIONS AND SURVEY DRAWINGS

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 4
APPENDIX 1
PROPERTY BOUNDARY LEGAL DESCRIPTION
AND SURVEY DRAWING

EXHIBIT "A"

LEGAL DESCRIPTION 196.88 ACRES TRACT KLEBERG COUNTY, TEXAS

BEING a 196.88 acres tract out of Lots 10, 11 and portions of lots 12, 13, & 14, Section 36 of the Kleberg Town and Improvement Co. as recorded in Volume A, Page 85, Map Records, Kleberg County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the intersection of the eastern right-of-way line of Farm to Market Road 2619 and the northern right-of-way line of County Road 2130, same being the present southwest corner of said Lot 13, whence an existing found 5/8" iron rod bears S00°59'36"E a distance of 10.0 feet;

THENCE NORTH 00° 59' 36" WEST, with the eastern right-of-way line of Farm to Market Road 2619 and the present western lines of lots 13 and 12, a distance of 2750.00 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the intersection of the eastern right-of-way line of Farm to Market Road 2619 and the southern right-of-way line of County Road 2120 for the present northwestern corner of lot 12;

THENCE NORTH 89° 04' 00" EAST, with the southern right-of-way line of County Road 2120, same being the northern lines of said lots 12, 11 and 10, a distance of 3747.50 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the northeastern corner of lot 10, same being the northwestern corner of lot 9 of said Kleberg Town and Improvement Co.;

THENCE SOUTH 00° 59' 36" EAST, with the eastern line of lot 10, same being the western line of lot 9, a distance of 1380.00 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the common southeastern corner of lot 10, southwestern corner of lot 9, northwestern corner of lot 16 and northeastern corner of lot 15 of said Kleberg Town and Improvement Co.;

THENCE SOUTH 89° 04' 00" WEST, with the southern line of said lot 10, same being the northern line of said lot 15, a distance of 1262.50 feet to a found 5/8" iron rod marking the common southwestern corner of lot 10, southeastern corner of lot 11, northwestern corner of lot 15 and northeastern corner of lot 14;

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THENCE SOUTH 00° 59' 36" EAST, with the eastern line of lot 14, same being the western line of lot 15, a distance of 1370.00 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at a point on the northern right-of-way line of said County Road 2130, said point being the present southeastern corner of lot 14 and southwestern corner of lot 15, whence an existing found 60d nail bears SOUTH 00° 59' 36" EAST 10.0 feet;

THENCE SOUTH 89° 04' 00" WEST, with the present southern lines of said lots 14 & 13, same being the northern right-of-way line of said County Road 2130, a distance of 2485.00 feet to the **POINT OF BEGINNING** and containing 196.88 acres of land.

NOTE: ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE, NAD 1983.

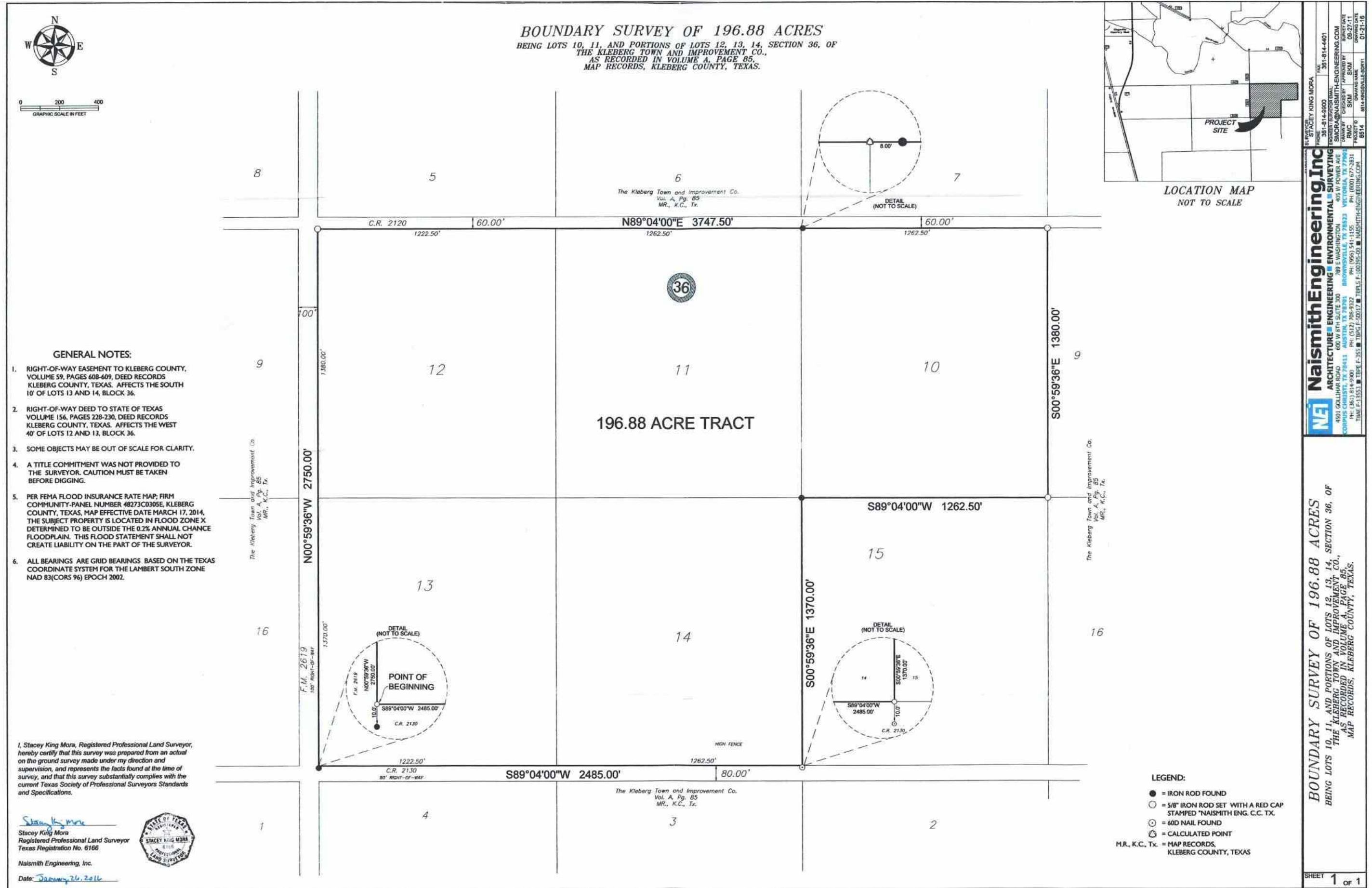
Stacey King Mora

Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS F# 100395-00

Date: *January 26, 2016*



FOR PERMIT PURPOSES ONLY



CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 4
APPENDIX 2
PERMIT BOUNDARY LEGAL DESCRIPTION
AND SURVEY DRAWING

EXHIBIT "A"

LEGAL DESCRIPTION 176.33 ACRES TRACT KLEBERG COUNTY, TEXAS

BEING a 176.33 acres tract out of Lot 11 and portions of lots 10, 12, 13, & 14, Section 36 of the Kleberg Town and Improvement Co. as recorded in Volume A, Page 85, Map Records, Kleberg County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the intersection of the eastern right-of-way line of Farm to Market Road 2619 and the northern right-of-way line of County Road 2130, same being the present southwest corner of said Lot 13 whence an existing 5/8" iron rod bears S00°59'36"E a distance of 10.0 feet;

THENCE NORTH 00° 59' 36" WEST, with the eastern right-of-way line of Farm to Market Road 2619 and the present western lines of lots 13 and 12, a distance of 2750.00 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at the intersection of the eastern right-of-way line of Farm to Market Road 2619 and the southern right-of-way line of County Road 2120 for the present northwestern corner of lot 12;

THENCE NORTH 89° 04' 00" EAST, with the southern right-of-way line of County Road 2120, same being the northern lines of said lots 12, 11 and 10, a distance of 3098.81 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set in the northern line of said lot 10 whence an existing found 5/8" iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." at the northeast corner of lot 10 bears NORTH 89° 04' 00" EAST 648.69 feet;

THENCE SOUTH 00° 59' 36" EAST, parallel with and 613.81 feet east of the western line of said lot 10, a distance of 1380.00 feet to a point in the southern line of lot 10, same being the northern line of lot 15 of said Kleberg Town and Improvement Co., said point marked by a set 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." whence an existing 5/8" iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." at the southeast corner of lot 10 bears NORTH 89° 04' 00" EAST 648.69 feet;

THENCE SOUTH 89° 04' 00" WEST, with the southern line of said lot 10, same being the northern line of said lot 15, a distance of 613.81 feet to a found 5/8" iron rod marking the common southwestern corner of lot 10, southeastern corner of lot 11, northwestern corner of lot 15 and northeastern corner of lot 14;

FOR PERMIT PURPOSES ONLY

THENCE SOUTH 00° 59' 36" EAST, with the eastern line of lot 14, same being the western line of lot 15, a distance of 1370.00 feet to a 5/8" diameter by 18" long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX." set at a point in the northern right-of-way line of said County Road 2130, said point being the present southeastern corner of lot 14 and southwestern corner of lot 15, whence an existing 60d nail bears SOUTH 00° 59' 36" EAST 10.0 feet;

THENCE SOUTH 89° 04' 00" WEST, with the present southern lines of said lots 14 & 13, same being the northern right-of-way line of said County Road 2130, a distance of 2485.00 feet to the **POINT OF BEGINNING** and containing 176.33 acres of land.

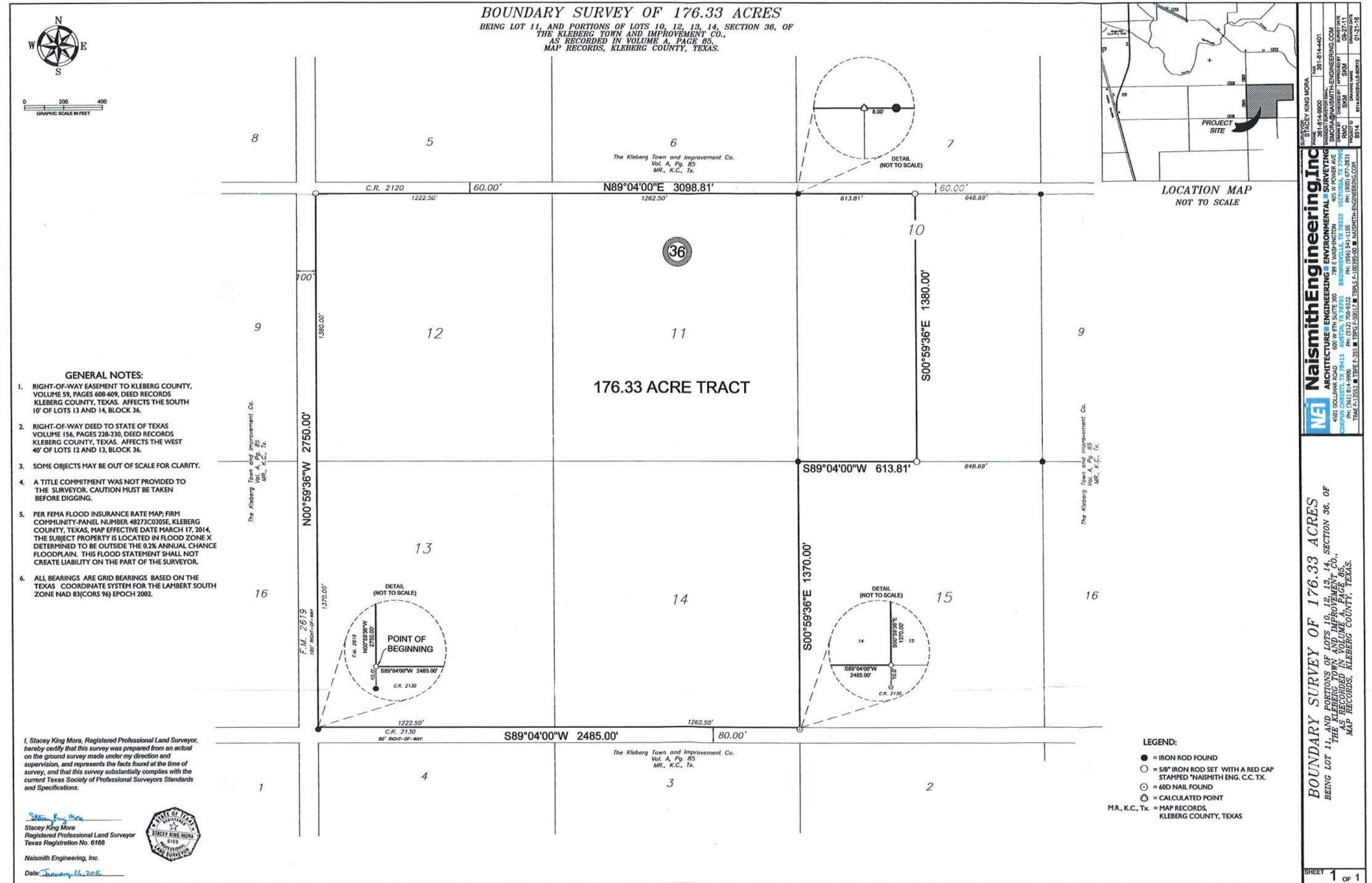
NOTE: ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE, NAD 1983.

Stacey King Mora
Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS F# 100395-00



Date: January 26, 2016

FOR PERMIT PURPOSES ONLY



CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 5
VERIFICATION OF LEGAL STATUS



The State of Texas
Secretary of State

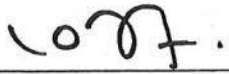
I, ANTONIO O. GARZA, JR. Secretary of State of the State of Texas, DO HEREBY CERTIFY that according to the records of this office the following city is on file as a Home Rule City:

Kingsville Filed: April 22, 1916



ST/lS

Date Issued: June 23, 1997



Antonio O. Garza, Jr.
Secretary of State

EXHIBIT 18
PAGE 1
REVISION NO. 1

MAY 1998

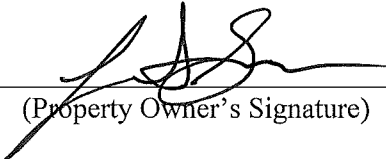
CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 6
PROPERTY OWNER AFFIDAVIT

PROPERTY OWNER AFFIDAVIT

"I/We, Jesús A. Garza, as City Manager,
(Printed Signatory Name) (Signatory Capacity)

As authorized signatory for City of Kingsville,
(Printed Name of Property Owner of Record)

acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure and post-closure care of the facility. For a facility where waste will remain after closure, I acknowledge that I have a responsibility to file with the county deed records an affidavit to the public advising that the land will be used for a solid waste facility prior to the time that the facility actually begins operating as a municipal solid waste landfill facility, and to file a final recording upon completion of disposal operations and closure of the landfill units in accordance with Title 30 Texas Administrative Code §330.19, Deed Recordation. I further acknowledge that I or the operator and the State of Texas shall have access to the property during the active life and post-closure care period."


(Property Owner's Signature)

9/4/18
(Date)

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 7
EVIDENCE OF COMPETENCY

THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION

Part I

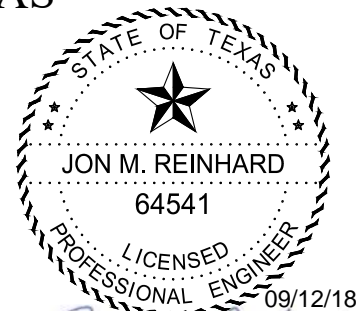
Attachment 7

Evidence of Competency



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0



Prepared by



HANSON PROJECT NO. 16L0438-0003

CONTENTS

CONTENTSi

LIST OF TABLES.....i

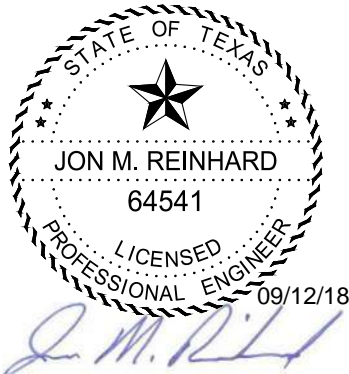
1 EVIDENCE OF COMPETENCY §330.59(f)1

 1.1 Experience of Principals, Supervisors and Key Personnel1

 1.2 Equipment.....2

LIST OF TABLES

TABLE 1: CITY OF KINGSVILLE LANDFILL EQUIPMENT LIST3



1 EVIDENCE OF COMPETENCY §330.59(f)

The City of Kingsville Landfill is owned and operated by the City of Kingsville (City). The landfill serves residences and businesses within Kleberg County and portions of surrounding Texas counties. The City has been providing waste disposal since the 1970's and has successfully operated the municipal landfill operation. The City owns and operates the City of Kingsville Citizens Collection Station MSW Registration # 120051. The City does not own and has not operated any other municipal solid waste sites, in Texas or any other state. It has, to this date, complied with all regulations and requirements set forth by the regulatory agency and most currently, Texas Commission on Environmental Quality (TCEQ).

1.1 Experience of Principals, Supervisors and Key Personnel

The City of Kingsville Landfill currently has approximately eight (8) employees involved in its solid waste system. Consistent with §330.59(f)(4), the names of the City of Kingsville Landfill principals and supervisors are provided below along with previous affiliations with other organizations engaged in solid waste activities.

Applicant

The City of Kingsville has operated the existing Municipal Landfill for more than 30 years in accordance with the rules and regulations set forth by the state of Texas.

William A. Donnell, Public Works Director

Mr. Donnell has been with the City of Kingsville since 1997 and has been in charge of Wastewater Treatment and Collections, Water Production, Water Construction, Streets, Garage, Sanitation & Recycling, and Landfill Departments for the last 12 years. Mr. Donnell directs and oversees all aspects of the Public Work Department. Mr. Donnell administers all quality control and regulatory compliance aspects of the system, permit development and implementation functions of both the disposal and processing system, and administers all aspects of capital construction projects and expenditures.

Pete Pina, Landfill Supervisor

Mr. Pina is responsible for the daily operations of the City of Kingsville Landfill. He has worked for the City of Kingsville for 26 years and has held various positions during that time. His work includes oversight of hourly workers, equipment maintenance, construction management, and operations compliance. Mr. Pina has a Texas Class A License for MSW Landfill Management and Operations. He is also a member of the Solid Waste Association of North America (SWANA).

The landfill supervisor will have and maintain a Class A license as a municipal solid waste facility supervisor in accordance with 30 TAC, Chapter 30, Subchapter F: Municipal Solid Waste Facility Supervisors.

The aforementioned staff will provide oversight and training for employees at the facility. Individual experience of on-site operators will be provided to the TCEQ officials upon request.

1.2 Equipment

Sufficient equipment will be provided to conduct site operations in accordance with the landfill design and permit conditions. The equipment requirements for this facility were based on anticipated solid waste volume and field conditions consistent with §330.127(2). Equipment for operation of the facility consists of a landfill compactor, a bulldozer, earth moving equipment, a water truck, a fuel storage tank, portable litter screens, and various portable pumps, hoses and/or pipes for surface water management. Table 2 below summarizes the types and quantities of the equipment dedicated to the City of Kingsville Landfill.

Equipment will be routinely maintained, promptly repaired, replaced, or supplemented with additional heavy machinery which meets or exceeds that previously described as required for effective operations. Emergency back-up equipment will be rented or will be available from other facilities managed by the site operator. Landfill construction may be performed by an outside contractor that will provide the additional construction equipment required.

TABLE 1: CITY OF KINGSVILLE LANDFILL EQUIPMENT LIST

EQUIPMENT TYPE	MINIMUM SIZE	WASTE ACCEPTANCE RATE (TONS PER DAY)			FUNCTION
		0-750	750-1,500	1,500-2,250	
Landfill Compactor(s)	40,000 pounds (2- 40,000 lb. compactors may be replaced by 1 – 80,000 lb. compactor)	1	2	3	Waste and soil spreading and compaction
Bulldozer(s)	CAT D7 or similar	0	1	1	Support compactor with waste/soil spreading, soil compaction
	CAT D6 or similar	1	0	0	
	CAT D5 or similar	0	0	1	
Earth Mover(s)	10 to 30 CY	1	1	2	Transportation of cover soil, excavation of new cells
Water Truck (s)	Size varies (1 – 4, 000 gallon water truck may be replaced by 2 – 2,000 gallon water trucks)	1 (2,000 gal)	1 (2,000 gal)	1 (4,000 gal)	Dust control, fire fighting support
Portable Litter Screen(s)	20 feet wide by 10 feet high	4	6	8	Active face litter control
Fuel Storage Tank(s)	Size varies	1 (1,000 gal)	1 (2,000 gal)	1 (3,000 gal)	Equipment fuel

Notes:

The number, types and equipment manufacturers of the heavy equipment and miscellaneous vehicles and equipment may vary during operations of the site based on operational needs and availability. See also Part IV, Working Face/Landfill Fires for additional equipment requirements.

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 8
TCEQ CORE DATA FORM

FOR PERMIT PURPOSES ONLY



TCEQ Core Data Form

TCEQ Use Only

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input checked="" type="checkbox"/> Other Permit Amendment Application
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 600674246		RN 102334570

SECTION II: Customer Information

4. General Customer Information	5. Effective Date for Customer Information Updates (mm/dd/yyyy)		
<input type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership <input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)			
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).			
6. Customer Legal Name (If an individual, print last name first: e.g.: Doe, John)		If new Customer, enter previous Customer below:	
City of Kingsville			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other: _____	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator <input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other: _____			
15. Mailing Address:			

City	State	ZIP	ZIP + 4
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
_____		_____	
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)	
() -		() -	

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)		
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information		
The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).		
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)		

FOR PERMIT PURPOSES ONLY

23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County								

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:								
26. Nearest City				State			Nearest ZIP Code	
27. Latitude (N) In Decimal:				28. Longitude (W) In Decimal:				
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)			

33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)

34. Mailing Address:							
	City		State		ZIP		ZIP + 4

35. E-Mail Address:						
36. Telephone Number	37. Extension or Code		38. Fax Number (if applicable)			
() -			() -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

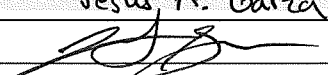
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
235B				
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Athalia Kelly Mayfield	41. Title:	Environmental Technician
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(361) 814 - 9900		() -	kmayfield@hanson-inc.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	City of Kingsville	Job Title:	City Manager
Name (In Print):	Jesus A. Garcia	Phone:	(261) 573-8002
Signature:		Date:	9/14/18

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 9
SIGNATORY AUTHORITY DELEGATION

PART 1 - CHARTER OF THE CITY OF KINGSVILLE

ARTICLE I

Section 1. - Corporate name.

All the inhabitants of the City of Kingsville, in Kleberg County, Texas, as the boundaries and limits of said City presently exist, or may hereafter be established, shall be a body politic, incorporated under, and be known by the name and style of the "City of Kingsville" with such powers, rights and duties as are hereinafter provided, and all other powers not herein specifically designated that are granted by the Constitution and laws of the State of Texas to such cities.

Section 2. - Boundaries.

The bounds and limits of the City are hereby established and described as being those boundaries heretofore established in the original incorporated proceedings of the City, filed of record on April 12, 1916, in the office of the Clerk of the County Court of Kleberg County, Texas and those boundaries established and changed thereafter in all annexation ordinances and proceedings of the City.

(Amended by electorate, 5-13-06)

Section 3. - Platting of property.

Should any property lying within the city limits, as established by this Charter, be hereafter platted into blocks and lots, the owners of said property shall plat and lay the same off to conform to the streets and alleys abutting the same, and shall file with the Mayor a correct map thereof provided, that in no case shall the City of Kingsville be required to pay for any of said streets or alleys, at whatever date opened, but when opened by reason of the platting of said property, at whatever date platted, they shall become, by such act, the property of the City of Kingsville, for use as public highways and shall be cared for as such.

Section 4. - Extension of city limits or boundaries.

The City Commission may by ordinance annex additional territory lying adjacent to the city with or without the consent of the owners and inhabitants of the territory annexed.

ARTICLE II

Section 1. - Corporate power.

The City of Kingsville made a body politic and corporate by the legal adoption of this Charter, shall have perpetual succession, may use a common seal, may sue and be sued, may contract and be contracted with, implead and be impleaded in all courts and places and in all matters whatever; may take, hold and purchase land, within or without the city limits, as may be needed for corporate purposes of said City, and may sell any real estate or personal property owned by it, perform and render all public services and, when deemed expedient, may condemn property for corporate use and may hold, manage and control the same, and shall be subject to all the duties and obligations now pertaining to or incumbent upon said city as a corporation, not in conflict with the provisions of this Charter, and shall enjoy all the rights, immunities, powers, privileges and franchises now possessed by said City, and herein conferred and granted.

Section 2. - Powers of ordinance.

The City of Kingsville shall have the power to enact and enforce all ordinances necessary to protect health, life and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce the good government, order and security of the City and its inhabitants, and to enact and enforce ordinances on any and all subjects provided that no ordinance shall be enacted inconsistent with the provisions of this Charter or the General Laws or Constitution of the State of Texas.

Section 3. - Style of ordinance.

The style of all ordinances of the City of Kingsville, shall be. "BE IT ORDAINED by the City Commission of the City of Kingsville," but the same may be omitted when published in book or pamphlet form by the City of Kingsville.

Section 4. - Real estate, etc., owned by the city.

All real estate owned in fee simple title or held by lease, sufferance, easement or otherwise, all public buildings, fire stations, parks, public squares, streets, alleys and all property of whatever kind, character or description, whether real or personal, which has been granted, donated, purchased or otherwise acquired by the City of Kingsville through any means of agency, and all causes of action, choses in action, rights and privileges of every kind and character, and all property of whatsoever character and description which may have been held or is now held, controlled or used by the said City of Kingsville, or public ways or in trust for the public, shall vest in and remain in and inure to the said corporation of the City of Kingsville by the legal adoption of this Charter, and all suits and pending action to which the City of Kingsville heretofore was or now is a party, plaintiff or defendant, shall in no wise be affected or terminated by the provisions of this Charter or by the legal adoption of the same, but shall continue unabated.

Section 5. - Acquisition of property.

The City of Kingsville shall have the power and authority to acquire by purchase, gift, devise, condemnation or otherwise any character of property, including any charitable or trust fund.

Section 6. - Public property exempt from executions.

Said City shall have the power to provide that no public property or any other character of property owned or held by said city shall be subject to any execution of any kind or nature.

Section 7. - City funds not subject to garnishment.

Said City shall have the power to provide that no funds of the city shall be subject to garnishment and that the city shall never be required to answer in any garnishment proceedings.

Section 8. - Exemption from liability for damages.

Said City shall have the power to provide for the exemption of said city from liability on account of any claim for damages to any person or property, and to fix rules and regulations governing the city's liability, as may be deemed advisable.

Section 9. - Right of eminent domain.

Said City shall have the right to eminent domain and the power to appropriate property for public uses whenever the governing authority shall deem it necessary; and to take any private property, within or without the city limits, for any of the following purposes, to wit City Halls, Police Stations, Jails,

Calabooses, Fire Stations and fire alarm systems, Libraries, Hospitals, Sanitariums, Auditoriums, Market Houses, Slaughter Houses, Reformatories, Abattoirs, Streets, Alleys, Parks, Highways, Playgrounds, Sewer Systems, Storm Sewers, Sewage Disposal Plants, Filtering Beds and Emptying Grounds for Sewer Systems, Drainage, Water Supply Sources, Wells, Water and Electric Light and Power Systems, Street Car Systems, Telephone and Telegraph Systems, Gas Plants or Gas Systems, Cemeteries, Crematories, Prison Farms, Pest Houses, and to acquire lands, within or without the City, for any other municipal purpose that may be deemed advisable. That the power herein granted for the purpose of acquiring private property shall include the power of improvement and enlargement of waterworks, including water supply, riparian rights, standpipes, watersheds, and the construction of supply reservoirs. That in all cases where the city exercises the power of eminent domain, it shall be controlled as nearly as practicable, by the laws governing the condemnation of property by railroad corporations in this State, the city taking the position of the railroad corporation in any such case.

Section 10. - Ownership of public utilities.

Said city shall have the power to buy, own or construct, and to maintain and operate, within or without the city limits, complete water systems, gas or electric lighting or power plant or plants, telephone systems, street railways, sewer systems, sewage plants, fertilizing plants, abattoirs, municipal railway terminals, or any other public service utility, and to demand and receive compensation for services furnished by the city for private purposes or otherwise, and to have the power to regulate by ordinance, the collection of compensation for such services. That said city shall have the power to acquire by lease, purchase or condemnation, the property of any person, firm or corporation now or hereafter conducting any such business for the purpose of operating such public utility or utilities and for the purpose of distributing such service throughout the city, or any portion thereof.

Section 11. - Funds for the acquisition of any public utility, security for same, etc.

Should the city determine to acquire any public utility by purchase, condemnation or otherwise, as herein provided, said city shall have the power to obtain funds for the purpose of acquiring said public utility and paying the compensation thereof, by issuing bonds or notes, or other evidence of indebtedness, and shall secure the same by fixing a lien upon the property constituting the public utility so acquired and said security shall apply alone to said property so pledged.

Section 12. - Manufacture or purchase of public utility products.

Said city shall have the authority to manufacture its own electricity, gas or anything else that may be needed or used by it or the public; to make contracts with any person, firm or corporation for the purchase of gas, water, electricity or any other commodity or articles used by it or the public, and to sell same to the public as may be determined by the governing authority.

Section 13. - Right to operate and maintain public utility acquired, exclusive.

In the event said city shall acquire, by purchase, gift, devise, deed, condemnation or otherwise, any water-works system, electric light or power system, gas system, street railway system, telephone system or any other public service utility to operate and maintain for the purpose of serving the inhabitants of said city, the right to operate and maintain such public service utility, so acquired, shall be exclusive.

Section 14. - Right to regulate charges, etc., of holder of franchise or privilege.

Said City shall have the power to determine, fix and regulate the charges, fares and rates of any person, firm or corporation exercising, or that may hereafter exercise, any right of franchise or public privilege in said City, and to prescribe the kind of service to be furnished, the equipment to be used, the manner in which the service shall be rendered and to change such regulations from time to time; that in order to ascertain all the facts necessary for the proper understanding of what is or should be a reasonable rate of regulation, the governing authority shall have full power to inspect the books and other records of such person, firm or corporation and compel the attendance of witnesses for such purposes. Every franchise holder who shall request an increase in rates, charges or fares, shall have, at the hearing of the Commission called to consider such request, the burden of establishing by competent evidence, the value of its investments properly allocable to service in the City, and the amount and character of its expenses and revenues connected with the rendering of such service. If, upon such hearing, the Commission is not satisfied with the sufficiency of the evidence so furnished, it shall be entitled to call upon such public utility for the furnishing of additional evidence at a subsequent date, to which said hearing may be adjourned. If at the conclusion of said adjourned hearing, the Commission is still not satisfied with the sufficiency of the evidence furnished by said utility, the Commission shall have the right to select and employ rate consultants to conduct investigation, present evidence and advise the Commission, at its hearing on such requested increase in rates, charges or fares; and said utility shall reimburse the City for one hundred percent (100%) of its reasonable and necessary expense so incurred. Such rate consultants shall be qualified, competent and of good standing in their professions. No Public Utility franchise holder shall institute any legal action to contest any rate, charge or fare fixed by the Commission until such franchise holder has filed a motion for rehearing with the Commission specifically setting out each ground of its complaint against the rate, charge or fare fixed by the Commission, and until the Commission shall have acted upon such motion. Such motion shall be deemed overruled unless acted upon by the Commission within a reasonable time, not to exceed ninety (90) days from the filing of such motion for rehearing; provided, that the Commission may by resolution extend such time limit for acting on said motion for rehearing from ninety (90) days to one hundred eighty (180) days; provided, however, that the City shall not prescribe the equipment to be used by public utility companies and provided, further, that where a State Law provides different time limits on rate hearings than those herein set out, then and in that event, the City shall observe the hearing times as set forth in such State Law.

Section 15. - Street powers.

The City of Kingsville shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys and highways of the city and to provide for the improvement thereof by paving, raising, grading, draining, or otherwise, and to charge the cost of making such improvement against the abutting property, by fixing a lien against the same and a personal charge against the owner thereof, according to an assessment specially levied therefor, in an amount not to exceed the special benefit of any such property received in enhanced value by reason of such improvements, and to provide for the issuance of assignable certificates covering the payment for said improvement; provided that in no event shall a percentage of the cost of such improvements greater than that authorized by applicable State statute be charged to the owner; it being further provided that all street railway, stream railways and other railways shall pay the entire cost of improving said streets, avenues, alleys and highways between the rails and tracks of any such railway companies, and for a distance of two feet on each side thereof.

Section 16. - Construction of sidewalks and curbs.

Said City shall have the power to provide for the construction and building of sidewalks and to charge the entire cost of construction of said sidewalks, including curb, against the owner of the abutting property and to make special charge against the owner for such cost, and to provide by special assessments, a lien against such property for such cost.

Section 17. - Sidewalks, improvement; defective may be declared nuisance.

Said city shall have the power to provide for the construction, improvement or repair of any such sidewalk, or the construction of any such curb, by penal ordinance, and to declare defective sidewalks to be a public nuisance.

Section 18. - Franchise for use of streets.

Said city shall have the power and authority to grant franchises for the use and occupancy of streets, avenues, alleys and any and all public grounds belonging to or under the control of the city. No telegraph, telephone, electric light or power, street railway, inter-urban railway, steam railway, gas company, waterworks, water system or any other character of public utility shall be granted any franchise or permitted the use of any street, avenue, alley, highway or grounds of the city without first making application to and obtaining the consent of the governing authorities thereto, expressed by ordinance, and upon paying such compensation as may be prescribed, and upon such conditions as may be provided for by such ordinance, and before such ordinance proposing to make any grant for franchise or privilege to any applicant to use or occupy any street, avenue, alley or any other public ground belonging to or under the control of the city, shall become effective, publication of said ordinance, as finally proposed to be passed, shall be made in some newspaper published in the City of Kingsville, once a week for three consecutive weeks, which publication shall be made at the expense of the applicant desiring said grant and said proposed ordinance shall not be thereafter changed unless again republished as in the first instance, nor shall any such ordinance take effect or become a law or contract or vest any right in the applicants therefor, until after the expiration of thirty days from the last publication of said ordinance, as aforesaid.

Pending the time such ordinance may become effective, it is made the duty of the governing authority of the City to order an election if requested to so do by written petition of at least ten percent (10%) of the legally qualified voters, as determined by the number of votes cast in the last regular municipal election; at which election the qualified voters of said city shall vote for or against the proposed grant, as set forth in detail by the ordinance conferring the rights and privileges upon the applicant therefor. Such election shall be ordered not less than thirty (30) days nor more than ninety (90) days from the date of filing said petition, and if at said election the majority of the votes cast shall be for the granting of such franchise or privilege, said ordinance and the making of said proposed grant shall thereupon become effective, but if a majority of the votes cast by said election shall be against the granting of such franchise or privilege, such ordinance shall be ineffective and the making of such proposed grant shall be null and void.

No franchise shall be granted for a term of more than thirty (30) years. All franchises shall specify the term of years for which granted and such franchises may be amended from time to time with the consent of the franchise holder.

Section 19. - Public works, improvements.

Said city shall have the power to open, extend, straighten and widen any public street, avenue, boulevard or alley and for such purposes to acquire the necessary land, by purchase or condemnation, and to provide that the cost of improving such street, avenue, boulevard or alley by opening, extending, straightening or widening the same shall be paid by the owners of property lying in the territory of such improvement to the extent they are especially benefitted thereby, and to provide that the cost shall be charged, by special assessment against such owners and their property for the amount due by them, and three (3) Special Commissioners shall be appointed by the District Judge or Judge of the Kleberg County Court At Law of Kleberg County, Texas, for the purpose of condemning said land and apportioning said cost, and such apportionment shall be specially assessed by the governing authority of said city against the owners and their property lying in the territory so found by said Special Commissioners to be specially benefitted in enhanced value, and said city may issue assignable certificates for the payment of any such cost against such property owners and their property and may provide for the payment thereof in deferred payments which deferred payments shall bear interest at the rate of not exceeding eight (8) per cent per annum. Said city shall pay such portion of such cost as may be determined by said Special Commissioners, to be due by it provided the cost paid by the city shall never exceed one-third (1/3) of the cost of such improvement.

Section 20. - Altering streets, obstructions, encroachments, etc.

Said city shall have the power to control, regulate and remove all obstructions, encroachments and incumbrances on any public street, avenue, boulevard or alley and to narrow, alter, widen, straighten, vacate, abandon and close same; to provide for sprinkling and cleaning same, and to regulate and control the moving of buildings and structures of every kind and character upon and along the same.

Section 21. - Parks, playgrounds, etc.

Said city shall have the exclusive control over all city parks and playgrounds and to control, regulate and remove all obstructions and prevent encroachment thereupon; and to provide for the raising, grading, filling, terracing, landscape gardening, erecting buildings, providing amusements therein, for establishing walks and paving driveways around, in and through said parks, playgrounds and other public grounds.

Section 22. - Peace and good order.

Said city shall have the power to define all nuisances, prohibit the same within the city and outside the city limits for a distance of five thousand (5,000) feet; to police all parks, grounds, speedways, streets, avenues and alleys owned by said city, within or without the city limits; to prohibit the pollution and/or contamination of all sources of water supply of said city, and to provide for the protection of water sheds and the prevention of the depletion of its aquifer.

To provide for the inspection of dairies, cows and dairy herds, slaughter pens and slaughter houses and abattoirs, within or without the city limits from which meat, milk, butter or eggs from same are furnished to the inhabitants of said city, and to provide for the inspection of meat markets, grocery stores, drug stores, confectioneries, fruit stands, ice cream factories, laundries, bottling plants, hotels, restaurants and bakeries; the source, storage and distribution of water, and all other places where food or drink for human consumption are manufactured, handled, sold or exposed for sale, and to regulate and inspect the character and standard of such articles of food and drink so sold or offered for sale.

To provide for the inspection and regulation of the sanitary condition of all premises and vacant lots within the city limits; for the removal of garbage, night soil, refuse and unsanitary vegetation; to provide for establishing a lien against the property for any expense incurred by the city in enforcing this provision, and further to provide for the making and enforcing of all proper and reasonable regulation, for the health and sanitation of said city and its inhabitants.

To provide for a health department and the establishment of rules and regulations protecting the health of the city, the establishment of quarantine stations, pest houses and hospitals and to provide for the adoption of necessary quarantine laws to protect the inhabitants against contagious and infectious diseases.

To provide for a sanitary sewer system and for the maintenance thereof; to require property owners to make connections to such sewers with their premises and to provide for fixing a lien against any property owner's premises who fails or refuses to make sanitary sewer connections and to charge the cost against the said owner and make it a personal liability, and to fix penalties for failure to make sanitary sewer connections.

To require property owners, their agents and lessees to remove, within a reasonable time, ice slush, snow and other debris from sidewalks fronting on property owned, occupied or controlled by such owner, agent, or lessee and to require such owner, agent, or lessee to remove all low hanging limbs from trees adjacent to sidewalks in said city.

To prohibit the driving of herds of horses, mules, cattle, hogs, sheep, goats and all herds of domestic animals along or upon the streets, avenues or alleys of said city.

To establish and regulate public pounds and to regulate, restrain and prohibit the running at large of all domesticated and non-domesticated animals and fowls, and to authorize the restraining, impounding and sale of the same for the cost of the proceedings and the penalty incurred, and to order their destruction when they cannot be sold and to impose penalties upon the owner thereof for the violation of any ordinance regulating or prohibiting the same, and to tax, legislate, restrain and prohibit the running at large of dogs and to authorize their destruction and impose penalties to the owners or keepers thereof.

To prohibit the inhumane treatment of animals and to provide punishment therefor.

To prohibit and restrain the flying of kites, firing firearms, firecrackers, rolling of hoops and the use of velocipedes, bicycles and skates, or the use and practice of any amusement on the streets or sidewalks to the annoyance of pedestrians or persons using such streets or sidewalks, and to restrain, regulate and prohibit the ringing of bells, or blowing of horns, bugles and whistles, crying of goods and all other noises, practices and performances tending to the collection of persons in the streets or tending, unnecessarily, to interfere with the peace and quietude of the inhabitants of said city; and to suppress and regulate all unnecessary noises.

To license any lawful business, occupation or calling that is susceptible to the control of the police power, and to license, regulate, control or prohibit the erection of signs or billboards.

To license, tax and regulate or suppress and prevent hawkers, peddlers and pawn brokers.

To license, tax and regulate all charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle operated for the carriage of passengers or freight for hire on the public streets of the city.

To regulate the operation of railway trains and street cars operated on, along or across the street, avenues or alleys of said city; to license and control the operation of automobiles, motorcycles, taxicabs, busses, cabs and carriages and all character of vehicles using the public streets and to regulate the use and occupancy of the streets by any such vehicles.

To provide for the regulation and control of plumbers and plumbing works and to secure efficiency in the same.

To provide for the inspection of weights, measures and meters and fix a standard of such weights, measures and meters and require conformity of such standards and provide penalties for failure to use or conform to the same, and to provide for inspection fees.

To provide for the issuance of permits for erecting all buildings; for the inspection of the construction of all buildings in respect to proper wiring for electric lights and other electric appliances; piping for gas, flues, chimneys, plumbing and sewer connections and to enforce proper regulations in regard thereto.

To provide for establishing and maintaining a public library.

To provide for the establishment and designation of fire limits; to prescribe the character and kind of structures to be erected therein; to provide for the erection of fireproof buildings within said limits and for the condemnation of dangerous or dilapidated structures that are calculated to increase the fire hazard.

To enact and enforce all ordinances and resolutions, necessary to regulate the safety of all office buildings, hotels, apartment houses, rooming houses, hospitals, theaters, store buildings and all public buildings.

To require the construction of fire escapes in connection with public buildings, and to determine the sufficiency and regulate the safety of all exits and fire escapes provided on public buildings of every kind and character.

To provide for the establishment of districts and limits, within said city, where saloons for the sale of spirituous, vinous or malt liquors may be located and maintained, and to prohibit the sale of such liquors or the location of such saloons without such defined districts or limits; and to regulate the location, permit, forbid, regulate and control theaters, moving picture shows, vaudeville shows, dance halls, ten pin alleys, pool halls and all other public amusements, whenever the preservation of order, tranquility, public safety or good morals demand it.

To restrain and punish vagrants, mendicants, beggars and prostitutes.

To prohibit and punish keepers and inmates of bawdy, assignation and disorderly houses, and to prevent and suppress such keepers, inmates and owners, or agent of such owners, of such house, knowingly permitting such houses to be occupied as such bawdy, assignation or disorderly houses and to determine such inmates and keepers to be vagrants.

To provide for establishing and maintaining the Fire Department of the City.

To require waterworks corporations, gas companies, street car companies, telephone companies, electric light and power companies or other companies or individuals, exercising franchises, now or hereafter, from the city, to make and furnish extensions of their service to such territory as may be required by ordinance.

To establish and maintain the City Police Department, prescribe the qualifications and duties of policemen and regulate their conduct.

To provide for the enforcement of all ordinances enacted by it, by a fine not to exceed two hundred dollars (\$200.00), or as may be authorized by the General Laws of the State of Texas, provided that no ordinance shall provide a greater or less penalty that is prescribed for a like offense by the laws of the State.

To provide for the commutation of fines imposed, by labor in a workhouse, on the public streets and public ways of the city; and for the collection of any fine imposed, execution may be enforced, as executions issued in civil cases.

To provide for a Court for the trial of misdemeanor offenses, known as the "Municipal Court," with such powers and duties as are defined and prescribed by applicable state law.

To appoint, as soon as practicable after the adoption of this Charter some suitable person for the position of judge or recorder of the Municipal Court, who shall discharge the duties of said office under the terms and provisions of the State law creating said court, and subject to the provisions of this Charter.

To establish, maintain and regulate the city prison, workhouse and other means of punishment for vagrants, city convicts and disorderly persons, and such hospitals, orphanages and charitable institutions as may be deemed expedient by the governing authority.

To establish, maintain, regulate and operate market places, abattoirs and slaughter pens and to build and maintain buildings therefor, to rent and lease the same, and to regulate and provide for the regulation and inspection of said market places, abattoirs and slaughter pens.

Section 23. - Initiative and referendum.

(a) The legislative power of the city is vested in the City Commission, but the people of the city reserve unto themselves the powers of initiative and referendum which shall be exercised in the manner prescribed in this Charter.

(1) *Initiative.* The registered voters of the city shall have the power to propose ordinances to the City Commission and, if the Commission fails to adopt the ordinance in substantially the form in which it was presented, to adopt or reject the ordinance proposed at an election as provided herein.

- (2) *Referendum.* The registered voters of the city shall have the power to require reconsideration by the City Commission of any adopted ordinance or part thereof and, if the Commission fails to repeal the ordinance, or the disputed part thereof, to approve or reject it at an election as provided herein.
- (b) The power of initiative and referendum reserved herein shall not extend to specific items contained in the operating or capital budgets of the city, contracts, appropriations already made, the levy of taxes or the individual salaries of city officials or employees. The powers of initiative and referendum contained herein are not in lieu of the referendum powers and procedures provided elsewhere in this Charter and under state law; therefore, the powers of initiative and referendum provided in this section shall not apply when another referendum procedure is available under this Charter or state law.
- (c) Any five registered voters may commence initiative or referendum proceedings by filing with the City Secretary a statement that they intend to circulate petitions calling for an initiative or referendum. The statement shall include the following:
 - (1) The names and addresses of the registered voters commencing the proceedings;
 - (2) The full text of the ordinance being proposed by initiative or the full text of the ordinance to be reconsidered by referendum; and
 - (3) The name and address of the registered voter who is designated to receive all communications from the City Secretary and City Attorney under this section.
- (d) In the case of an initiative, the City Attorney shall draft an ordinance in legal form, consistent with the laws of the State and the United States, incorporating in substance the text submitted. The City Secretary shall present the initiative or the request for referendum to the City Commission at its next regular meeting. Forty-five days from the date of presentment shall be allotted to the City Commission to consider the adoption of such ordinance by initiative. In the case of referendum, the statement commencing the referendum proceedings must be filed no later than the tenth day after the City Commission adopts the ordinance and the City Commission shall have until the adjournment of the next regular City Commission meeting following receipt of the statement to reconsider such ordinance.
- (e) In the event the Commission fails to take the proposed action within the time allotted, the City Secretary shall furnish to the proponents petition pages for circulation among the registered voters of the city. Each petition page shall contain the following:
 - (1) A summary not to exceed 100 words stating in substance the initiative or referendum measure to be considered by the voters and the notation that the full text of the ordinance is available for inspection at the office of the City Secretary;
 - (2) The printed name, address and registration number of each voter signing the petition;
 - (3) The signature of each signer in ink and the date of signing;
 - (4) The date of issuance of the petition by the City Secretary and, in the case of a referendum petition, the names and addresses of the five persons who initiated the procedure.
- (f) All petition pages comprising an initiative or referendum petition shall be assembled and filed with the City Secretary as one instrument within ninety days from date of issuance of the forms for such purposes by the City Secretary. Within twenty days, the City Secretary shall determine whether the same is signed by qualified voters of the city equal in number to at least five percent of the registered voters of the city voting in the most recent city election. If the certificate of the

City Secretary shows the initiative or referendum petition to have total signatures of registered voters in number that is less than the required five percent of the number of registered voters voting in the most recent city election, the City Secretary shall notify the person filing the petition, and it may be supplemented within ten days from the date of the City Secretary's notice by filing supplementary petition pages as provided by the City Secretary bearing signatures of other registered voters. Within ten days after such supplementary pages are filed, the City Secretary shall again examine the original petition, as supplemented, and shall certify the results thereof to the Commission at its next regular meeting.

- (g) In the case of referendum, if all necessary petition pages comprising the referendum petition have been assembled and filed with the City Secretary within sixty days from the deadline for action by the City Commission to reconsider the ordinance, the effectiveness of the disputed provisions shall be suspended pending the outcome of these referendum proceedings. Nothing herein shall be construed to prevent the City Commission from repealing the disputed provisions to be reconsidered during such period.
- (h) Whenever an initiative or referendum petition is certified by the City Secretary to have valid signatures equal in number to at least five percent of the registered voters of the city voting in the most recent city election and the City Commission does not adopt the ordinance proposed by initiative or repeal the disputed provisions sought to be reconsidered by referendum, the Commission shall include the proposition on the ballot at an election to be held as follows:
 - (1) In the case of an initiative, at the next regular City Commission elections;
 - (2) In the case of a referendum for which the necessary petition pages have been filed within sixty days from the deadline for action by the City Commission to reconsider the ordinance, at the next available uniform election date under state law; or
 - (3) In the case of any other referendum, at the next regular City Commission elections.
- (i) Not later than the next regular meeting of the City Commission following the election, the Commission shall canvass the election returns, and if a majority of the registered voters voting on the issue approve of the ordinance submitted by initiative or the referendum, such action shall become effective as of the date the returns are canvassed or as of any later effective date as may be provided.
- (j) Any ordinance adopted by initiative shall not be subject to repeal or substantial modification by action of the Commission for a period of four years from the date of the election, except by referendum election called by the Commission or by petition as herein provided. Any ordinance repealed by referendum shall not be reinstated in whole or substantial part by action of the Commission for a period of four years from the date of the election, except by referendum election called by the Commission or by petition as herein provided.

(Amended by electorate, 5-13-06)

Section 24. - Recall.

- (1) *Scope.* Any member of the City Commission, whether elected to office by the qualified voters of the City or appointed by the City Commission to fill a vacancy, shall be subject to recall and removal from the office by the qualified voters of the City.
- (2) *Restrictions on recall.* No recall petition shall be filed against any officer of the City within six (6) months after such officer's election or appointment, nor within six (6) months after an election for such officer's recall, nor within six (6) months of the expiration of such officer's term.

- (3) *Recall procedure.* Any qualified voters of the City may make and file with the person performing the duties of City Secretary an affidavit containing the name or names of the officer(s) whose removal is sought and a statement of the grounds for removal. The City Secretary shall immediately notify in writing the officer(s) sought to be removed that the affidavit has been filed and shall inform the officer(s) of its statement of grounds. The City Secretary shall within a period of two (2) working days from the time the affidavit was filed thereupon make available to the qualified voters making such affidavit copies of petition blanks demanding such removal. The City Secretary shall keep a sufficient number of such printed petition blanks on hand for distribution. Such blanks when issued by the City Secretary shall bear the signature of the City Secretary and be of such form as prescribed below and shall be numbered, dated, and indicate the name of the person to whom issued. The City Secretary shall enter in a record to be kept in his or her office the name of the qualified voters to whom the petition blanks were issued and the number to said person.
- (4) *Petition.* Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of the City Secretary; which said petition shall be signed by qualified voters of the City equal in number to at least twenty percent (20%) of the number of qualified voters voting in the most recent city election. Such petition shall contain a general statement of the grounds for which the removal is sought.

A signature on a petition for recall is valid only if the petition meets the requirements of the State Election Code.

- (5) *Form of recall petition.* The recall petition mentioned above must be addressed to the City Commission of the City of Kingsville, must distinctly and specifically state the ground(s) upon which such petition for removal is predicated, and if there be more than one ground, such as for incompetency, noncompliance with this Charter, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of such matters and things with which he or she is charged. Recall petition papers provided by the person performing the duties of City Secretary shall be in form substantially as follows:
We the undersigned qualified voters of the City of Kingsville hereby demand the question of removing (Name of Person) from the office of (Name of Office) be submitted to a vote of the qualified voters of the City. The charges and specifications upon which this demand for removal is predicated are as follows:

_____	_____	_____	_____
Signature	Printed Name	Address, including County	Voter Registration No.

The signatures shall be verified by oath in the following form:

"STATE OF TEXAS

COUNTY OF KLEBERG

I, ;daterule; being first duly sworn, on oath depose and say that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be.

Sworn and subscribed to before me this day of ;daterule;.

Notary Public in and for Kleberg County, Texas"

- (6) *Presentation of petition; election to be called.* All papers comprising a recall petition shall be returned and filed with the person performing the duties of City Secretary within thirty (30) days after the filing of the affidavit hereinbefore provided for. The person performing the duties of City Secretary shall certify said petitions within fifteen (15) days of receipt and present such certified petitions to the City Commission at the next regular City Commission meeting. If the officer whose removal is sought does not resign within five (5) calendar days after such notice is given, then it shall become the duty of the City Commission to order an election and fix a date for holding such recall election, the date of which election shall be in accordance with the Texas Election Code Annotated.
- (7) *Failure of city commission to call an election.* In case all of the requirements of this Charter shall have been met and the City Commission shall fail or refuse to receive the recall petition, or to order such recall election, or to discharge any other duties imposed upon said City Commission by the provisions of this Charter with reference to such recall, then the District Judge of Kleberg County, Texas, or other judge of competent jurisdiction shall discharge any such duties herein provided to be discharged by the person performing the duties of City Secretary or by the City Commission.
- (8) *Ballots in recall election.* Ballots used at recall elections shall conform to the following requirements:
- (a) With respect to each person whose removal is sought, the question shall be submitted. "Shall (Name of Person) be removed from the office of (Name of Office) by recall?"
 - (b) Immediately below each such question there shall be printed the two following propositions, one above the other, in order indicated:
"{} Yes"
"{} No"
- (9) *Result of recall election.*
If a majority of the votes cast at a recall election shall be against the recall of the person named on the ballot, he or she shall continue in office for the remainder of his or her unexpired term, subject to recall as before. If a majority of the votes cast at such an election be for the recall of the person named on the ballot, he or she shall, regardless of any technical defects in the recall petition, be deemed removed from office.

If, in such recall election, there shall, as a result of such election, remain one or more such elective officer's who is not recalled, then such officer or officers not recalled shall discharge all the duties incumbent upon the governing authorities of said city until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers, then there

shall be placed on said ballots under the question of recall, the names of candidates proposed to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.

If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the city, within five (5) days after such election is held, to meet, canvass the returns, declare the result of the election and on the same day order an election to fill such vacancy or vacancies, which such replacement election shall be in accordance with the Texas Election Code Annotated.

In no instance shall an officer removed from office by recall election succeed himself or herself, nor shall such officer's name appear on a ballot for elective office of the City within a period of two (2) years following the date of the election at which such officer was removed from office.

(Amended by electorate, 5-13-06)

ARTICLE III

Section 1. - Taxation.

The City shall have the power and is hereby authorized, annually, to levy and collect taxes, not exceeding seventy-five [cents] (\$0.75), on each one hundred dollars (\$100.00) assessed valuation of all real and personal property within city limits, for general maintenance purposes, and to levy and collect taxes, not exceeding for all purposes two and 50/100 dollars (\$2.50) on each one hundred dollars (\$100.00) of assessed valuation of all real and personal property within the City limits, not exempt from taxation by the Constitution and laws of the State.

Shall authorize the granting and issuance of licenses and shall direct the manner of issuing and registering the same and fix the fees therefor; but no license shall issue for a longer period than one (1) year and shall not be assignable except by permission of the governing authority of said city.

Shall have the power, annually, to levy and collect a franchise tax against any public corporation using or occupying the public streets or grounds of the city, separately from the tangible property of such corporation, and to levy and collect, annually upon the property and shares of corporations, companies and corporate institutions, as the same are now or may be assessed by the State laws, and shall have full power to enforce the collection of such taxes.

Shall have the power to regulate the manner and mode of making out tax lists, inventories and appraisements of property therein, and to prescribe the oath that shall be administered to each person rendering property for taxation and to prescribe how, when and where property shall be rendered and to prescribe the number and form of assessment rolls and to adopt such measures as may be deemed advisable to secure the assessment of all property within the city limits and to collect taxes thereon and may provide a fine upon all persons failing, neglecting or refusing to render their property for taxation, and to do any and all other things necessary or proper to render effectual the collection of moneys by taxation.

Shall have the power to provide for the rendition of unrendered property for taxation and levy and assess taxes thereon annually, and to provide for the rendition, levy and assessment of taxes for previous years on property omitted from taxation, and to provide interest at the rate not to exceed that interest rate authorized by State Law upon such unrendered or omitted property and to change and provide for correction and re-assessment property erroneously assessed.

All real, personal or mixed property held, owned or situated in the City of Kingsville shall be liable for all municipal taxes, due by the owner thereof, including taxes on real estate, franchises, personal and mixed property, and all other municipal taxes of whatsoever character. Such municipal taxes are hereby declared to be a lien, charge and encumbrance upon the property so taxed and shall be a prior lien to all other claims, sales, assignments, transfers, gifts and judicial writs. Said lien shall exist from the first day of January of each year until all taxes have been paid and against any real estate which, for any cause, has failed to be assessed for one or more years, and such lien shall be good and effective for every year for which assessment has so failed.

Personal property of all persons, firms, or corporations owing any taxes to the City of Kingsville, is hereby made liable for all such taxes, whether the same be upon personal or real property or upon both.

The governing authority of the city shall levy the annual tax for such year, but special taxes or assessments allowed by this Charter may be levied, assessed and collected at such time as the governing authority may provide; provided, that should the governing authority fail or neglect to levy the annual tax herein provided for any one year the annual tax levy for the preceding year last made by said governing authority shall and will be considered in force and effective as the tax levy for the year for which no annual tax levy was made.

Said city shall have the power to provide for the prompt collection, by suit or otherwise, of taxes assessed, levied and imposed, and is hereby authorized, and to that end shall have full power and authority to sell, or cause to be sold, all kinds of property, real and personal, and shall make such rules and regulations and enact all such ordinances as are deemed necessary for the collection of any taxes provided in this Charter.

It shall not be necessary in any action, suit or proceeding in which the city shall be a party, for any bond, undertaking or security to be executed in behalf of the city.

The city shall have the power to control and manage the finances of the city; to provide its fiscal year and fiscal arrangement.

All moneys arising from the collection of taxes by the city shall be divided into two funds, and designated as a "General Fund" and an "Interest and Sinking Fund."

No irregularities in the time or manner of making or returning the city assessment rolls or the approval of such rolls shall invalidate any assessment.

The governing authority of the city shall have the authority to create a Board of Adjustment whose duties shall be to equalize the values of all property rendered for taxation in the City of Kingsville; prescribe the qualifications, compensation and number necessary to constitute said board, and enact all ordinances necessary to regulate and control the equalization of values by such board.

ARTICLE IV

Section 1. - Bonds.

The governing authority of the city shall have the power to appropriate so much of the general revenue of the city as may be necessary for the purpose of retiring and discharging the accrued indebtedness of the city, and for the purpose of improving the streets, purchasing and constructing sewers, erecting and maintaining public buildings of every kind and for the purchasing or constructing of water works plans and systems and for the purpose of erecting, maintaining and operating an electric light and power plant and such other public utilities as the governing authority may from time to time deem expedient, and in furtherance of any and all of these subjects, the city shall have the right and power to borrow money upon the credit of the city, within the limits provided by law, and to issue coupon bonds of the city therefor, in such sums as may be deemed expedient, to bear interest at a rate as may be authorized by State statute, payable annually or semiannually, at such places as may be designated by the city ordinance.

All bonds shall specify for what purpose they are issued, and shall be invalid if sold for less than their par value, and when any bonds are issued by the city, a fund shall be provided to pay the interest and create a sinking fund to redeem said bonds, which fund shall not be diverted or drawn upon for any other purposes and the person acting as city treasurer shall honor no drafts upon said fund except to pay interest upon or redeem the bonds for which it was provided.

Said bonds shall be issued for a period of time not to exceed forty (40) years; shall be signed by the Mayor, countersigned by the person acting in the capacity of city clerk or secretary, and shall be payable at such places and times as may be fixed by the ordinance of the governing authority. All such bonds shall be submitted to the Attorney General of the State of Texas for his approval and the Comptroller for registration, as provided by State law; provided, that any such bonds, after approval, may be issued by the city either optional or serial, or otherwise, as may be deemed advisable by the governing authority.

Before the issuance of any bonds the same shall be submitted to a vote of the qualified voters of the city and should a majority of the votes cast at such election be in favor of issuing the bonds, the same shall be issued as provided herein; but should said election fail to carry, bonds shall not be issued. The election provided for above shall be conducted as other elections under the State law, after due notice by publication, once each week for three (3) consecutive weeks prior thereto, in one or more newspapers published in Kingsville, which said notice shall state the nature and purpose of said election.

ARTICLE V

Section 1. - Municipal government.

From and after the regular City election to be held in April 1952, the municipal government of the City of Kingsville, shall consist of the City Commission, which shall be composed of five (5) commissioners, one of whom shall be Mayor of the City.

Section 2. - Terms of office.

The Mayor and each Commissioner shall serve, after the first election for Commissioners as hereinafter provided, for a term of two (2) years and until his successor is elected and qualified, unless sooner removed from office as herein provided.

Section 3. - Vacancies.

Vacancies in the City Commission, except for those created by recall election, shall be filled for the remainder of the unexpired term by appointment of the remaining Commissioners within 90 days of the vacancy.

(Ord. 94003, passed 5-9-94; amended by electorate, 5-13-06)

Section 4. - Qualifications.

The Mayor and each Commissioner shall be citizens of the United States, and have resided in the City of Kingsville for a continuous period of 12 months, and have attained the age of 21 years at the time of filing as a candidate for such position; and have the other qualifications of an Elector in the City and as provided for candidates in the State Election Code. The Mayor and each Commissioner shall not be in arrears in the payment of any taxes or other liabilities to local taxing entities. ("In arrears" is defined herein to mean that payment has not been received within ninety (90) days from due date.) The Mayor, Commissioners, and other officers and employees shall not hold any other public office of emolument, except the Office of Notary Public, and shall not be interested in the profits or emoluments or any contract, job, work or service for the municipality, or interested in the sale to or by the City of any property, real or personal. All such qualifications and requirements shall be fully complied with by any prospective candidate for the position of Mayor or Commission at the time of filing for election. Any Mayor or Commissioner of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office and any such contracts in which any officer or employee is or may become interested may be declared void by the Commission. No elected official shall otherwise accept any service, or anything of value, directly or indirectly, from any entity, upon terms more favorable than are granted to the public. All members present at Commission meetings shall vote "Yes" or "No" on all matters requiring a vote before such Commission; provided, however, any Commissioner having a conflict of interest regarding the matter or matters upon which a vote is to be taken shall abstain from voting and abstain from any discussion on such matter.

(Amended by electorate, 5-13-06)

Section 5. - Elections.

The elective officers of the City shall consist of five (5) commissioners, one of whom shall be designated as Mayor, and the names of the candidates for Mayor and Commissioners shall be printed on one ballot and submitted to the qualified voter for election, and the candidate for Mayor receiving the highest number of votes at the election shall be declared elected; and the four candidates for Commissioners receiving the highest number of votes at the election shall be declared duly elected.

Section 6. - Judge.

The Commission shall be the judge of the election and qualification of its members.

Section 7. - Election returns.

The Commission shall, at the next regular meeting of said Commission, after each regular and special election, canvass the returns and declare the result of such election.

Section 8. - Election day.

Regular elections. The regular City Election will be held in accordance with the provisions of the Texas Election Code Annotated, Chapter 41. The City Commission shall, by ordinance, establish the general election date. The City Commission shall be responsible to specify places for holding such election.

Special elections. The City Commission may, by ordinance or resolution, order a special election under conditions specified elsewhere in this Charter, for initiative or referendum of ordinances, bond issues, Charter amendments, recall of the Mayor or Commission members or other purposes deemed appropriate by City Commission. The special City Elections will be held in accordance with the provisions of the Texas Election Code Annotated, Chapter 41. The City Commission will fix time and place for holding such special elections, and provide all means for holding same.

(Amended by electorate, 5-13-06)

Section 9. - Election law controlling.

All elections provided in this Charter shall be conducted, and the results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided.

All elections other than the regular municipal elections as set forth in Section 8, Article V of this Charter, shall be called Special Elections.

Section 10. - Legislative and governing body.

The Commission shall enact all ordinances and resolutions, and adopt all regulations; and constitute the legislative and governing body of the City. The City Commission shall have the power to appoint the City Judge, the City Manager and the City Attorney. They shall not have the power of appointment or dismissal of the other employees of the City.

Section 11. - Duties of mayor and commissioners.

The Mayor and Commissioners shall exercise equal power and authority in the transaction of business for the City, except that the Mayor shall act as presiding officer of the Commission, and in his absence a Mayor pro tempore may be chosen. The Mayor, or his representative as may be annually designated by the Mayor in writing, shall sign all official documents for the City upon the consent and proper instruction from the Commission, and shall perform all duties imposed upon him by this Charter, and by the ordinances of the City, or upon the order of said Commission.

Section 12. - Meeting of the commission.

On the first Thursday at 7:30 o'clock P.M., after the election of the Commission has been declared, the Commission shall meet in the City Hall, at which time the Commissioners shall qualify and assume the duties of their offices. Thereafter, the Commissioners shall meet at such times as may be prescribed by ordinance, resolution or motion, but they shall meet at least once every month. Any two of the five members of the Commission may call special meetings of the Commission at any time deemed advisable. All meetings of the Commission shall be public, except such executive sessions as may be provided for by ordinance or resolution, and any citizen shall have access to the minutes of and records thereof, at all reasonable times. The Commission shall determine its own rules of order of business, and shall keep journal of its proceedings.

Section 13. - Compensation.

The Mayor shall be paid fifty dollars (\$50.00) for each regular or special meeting of the Commission attended. The Commissioners shall be paid twenty-five dollars (\$25.00) for each Commissioners Meeting attended; provided, however, that the Mayor and Commissioners shall never be paid for more than four meetings in any one month.

Section 14. - Legislative procedure.

A majority of all members elected on the Commission shall constitute a quorum to do business, and the affirmative vote of a majority of all five Commissioners be necessary to adopt any ordinance or resolution. The vote upon the passage of all ordinances or resolutions shall be taken by "Yes" or "No" and entered upon the Journal. Every ordinance or resolution passed by the Commission shall be signed by the Mayor and the persons acting as City Clerk or Secretary, and by him recorded.

Section 15. - Ordinance enactment.

Each proposed ordinance or resolution shall be introduced in written or printed form, shall not contain more than one subject, which shall be clearly stated in the title, but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No ordinance, unless it is declared an emergency measure, and passed by at least a four-fifths (4/5) vote of all five Commissioners, shall be passed on the date on which it shall be introduced.

Section 16. - Emergency measure; defined and provided for.

An emergency measure in an ordinance or resolution for the immediate preservation of the public peace, property, health or safety, or providing for the usual daily operation of a municipal department in which the emergency is set forth and defined as a preamble thereto. Ordinance for the payment of salaries and wages may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise, or other special privilege or regulating the rate to be charged for its service by any public utility, shall ever be passed as an emergency measure.

Section 17. - Ordinances; publication of.

All ordinances, other than emergency measures, shall be published once a week for two (2) consecutive weeks, in some newspaper published in Kingsville, and no ordinances shall become effective, until ten (10) days after the date of its last publication. Such ordinances may be published by descriptive caption, with such adoption briefly describing the purpose and penalties of said ordinance.

Section 18. - Ordinances; recording.

Every ordinance, or resolution, upon its becoming effective, shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the Mayor and the party exercising the duties of city clerk or city secretary.

Section 19. - Investigations by commission.

The Commission may investigate the financial transaction of any office or department of the City government and any acts and conduct of any official or employee. In conducting such investigation, the Commission may compel the attendance of witnesses, the production of books and papers, and other evidence, and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor; which may be served and executed by any officer authorized by law to serve subpoenas or other process, or any peace officer of the city. If any witness shall refuse to appear or to testify to any

of the facts within his knowledge, or to produce any papers or books in his possession or under his control relating to the matter under investigation before the Commission, the Commission shall have the power to cause the witness to be punished as for contempt, not exceeding a fine of one hundred dollars (\$100.00) and three (3) days in the city prison. No witness shall be excused from testifying, touching his knowledge of the matter under investigation in any such injury, but such testimony shall not be used against him in any criminal prosecution except for perjury committed upon such inquiry.

Section 20. - Board of city development.

The Commission shall have the authority to appoint what shall be known and designated as a "Board of City Development," which shall be composed of members who shall serve without compensation, and may prescribe the qualifications and duties of such board and their term of office, and may appropriate not exceeding two cents (\$0.02) per one hundred dollars (\$100.00) valuation of the taxable property in the City of Kingsville, from the General Fund of said city to support the work of the board.

Section 21. - Salaries; general.

The Commission shall fix and determine the wages and salaries of all appointive officers and employees of the City, and provide for the payment thereof.

Section 22. - Payment of claims.

No warrant for the payment of any claim shall be issued by the city unless such claim shall be evidenced by an itemized account sworn to by claimant, audited and allowed by the Commission at a regular meeting, and all warrants shall be signed by the Mayor and countersigned by the party acting as city clerk or secretary.

Section 23. - Accounting procedure.

An accounting procedure shall be devised and maintained for the city adequate in detail. All transactions effecting the acquisition, custodianship and disposition of values, including cash receipts, credit transactions and disbursements and the recorded facts, shall be presented periodically to officials and to the public in such summaries and analytical schedules in detailed support thereof as shall be necessary to show the full effect of such transactions for each fiscal year upon the finances of the city and in relation to each department of the city government, including distinct summaries and schedules for each public utility owned and operated.

Section 24. - Audit and examination.

The Commission shall cause a complete audit of the books and accounts and of all records and transactions of the administration of the city to be made at least once every year and as often as the Commission may deem it necessary, and shall be made by a public accountant. The duty of the public accountant shall include the preparation of a general balance sheet showing summaries of income and expenditures and also comparisons, in proper classifications with the last previous audit; such summaries shall be published in some newspaper published in Kingsville, on time, within ten (10) days after the completion of such audit.

Section 25. - Contracts.

Deleted, August 9, 1986.

Section 26. - Nepotism.

Deleted, August 9, 1986.

Section 27. - Hours of labor upon public works.

Deleted, August 9, 1986.

Section 28. - Official bonds.

The City Commission shall require bonds of municipal officers and employees who receive or pay out any monies of the City and all City Commission Members. The amount of such bonds shall be determined by the City Commission and the cost thereof shall be borne by the City.

(Amended by electorate, 5-13-06)

Section 29. - Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas for County Officials.

Section 30. - City manager.

A city manager shall be chosen by the Commission on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of accepted practice in respect to the duties of his office. At the time of his appointment, he need not be a resident of the City or State, but during his tenure in office, he shall reside within the City. No Commissioner shall be appointed City Manager during the term for which he shall have been elected nor within one year after the expiration of his term.

Section 31. - Powers and duties.

The City Manager shall be the Chief executive officer and the head of the administrative branch of the City government. He shall be responsible to the Commission for the proper administration of all affairs of the City, and to that end, he shall have such power and shall be required to do any and all acts and perform all duties as authorized or directed by motion, resolution or ordinance of the City Commission; provided, however, that the Commission may not authorize or direct the City Manager to do anything which is in conflict with any provisions of this Charter.

Section 32. - Appointment and removal of city manager.

The City Manager shall be appointed, suspended and removed at the discretion of the City Commission, by vote of the majority of the entire City Commission. The action of the City Commission in suspending or removing the City Manager shall be final. It is the intention of this Charter to vest all authority and fix all responsibilities of such appointment, suspension or removal in the City Commission.

(Amended by electorate, 5-13-06)

Section 33. - Establishment of a special fund for capital improvements.

The Commission shall be authorized to order by ordinance, the establishment of a special fund to set aside a percentage of tax revenue for capital improvements.

GENERAL PROVISIONS

Section 1. - Enumeration of powers.

The enumeration of powers made in this Charter shall never be construed to preclude, by implication or otherwise, the city from exercising the powers incident to the enjoyment of local self-government, nor to do any and all things not inhibited by the Constitution and laws of the State of Texas.

Section 2. - Ratification of ordinances.

All ordinances and resolutions in force at the time of the taking effect of this Charter, not inconsistent with its provisions, shall continue in force until amended or repealed.

Section 3. - Amendments to charter.

This Charter, after its adoption, may be amended in accordance with the provisions of an Act of the Thirty-Third Legislature of the State of Texas, entitled, "An Act Authorizing Cities Having More Than 5,000 Inhabitants, by a Majority Vote of the Qualified Voters of Said City, at an Election Held for That Purpose, to Adopt and Amend Their Charter, Etc." approved April 7th, 1913, and any Acts amendatory thereof.

Section 4. - Vote on proposed charter, manner, etc.

This Charter shall be submitted to the qualified voters of the City of Kingsville for adoption or rejection, on the Third Tuesday in April, A.D. 1916, at which election, if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, then it shall become the Charter of the City of Kingsville, until amended or repealed.

The present Commissioners of the Town of Kingsville shall call such election and the same shall be conducted and returns made, and results declared as provided by the laws of the State of Texas governing municipal elections and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said town by the Town Commission of Kingsville, declaring the same adopted, and the Town Secretary shall record, at length, upon the records of the Town, in a separate book to be kept in his office for such purpose, such Charter so adopted, and such secretary shall furnish to the Mayor a copy of such Charter, so adopted, authenticated by his signature and seal of the Town, which copy of the Charter shall be forwarded by the Mayor of the Town of Kingsville to the Secretary of State, and shall show the approval of such Charter by a majority vote of the qualified voters of the town of Kingsville at such election.

Section 5. - Election of mayor and commissioners.

The present Town Commission of Kingsville shall call an election to be held on the Third Tuesday in April, A.D. 1916; said date being the same date upon which this Charter is to be presented to the voters of the Town of Kingsville for adoption, for the election of three (3) Commissioners, one of whom shall be designated Mayor, and, if a majority of the voters at such election vote for the adoption of this Charter, the Commissioners and Mayor elected on said day shall be declared elected officers under the new Charter, and, should the Charter fail of adoption, they shall be declared elected officers of the Town of Kingsville, under old Charter.

Respectfully submitted,

/S/ B.O. Sims, Jr.	/S/ F.D. Yeary
/S/ C.H. Flato, Jr.	/S/ L.C. McRoberts
/S/ W.F. Kahlden	/S/ H.C. Dennett
/S/ M.E. Miles	/S/ C.A. McCracken
/S/ Max Dover	/S/ W.A. Walker
/S/ John Cypher	/S/ T.F. Johnson
/S/ W.A. Clampitt	/S/ R.C. Mecklin
/S/ Sam Sellers	

COMMITTEE

Kingsville, Texas, March 7th, 1916.

CITY OF KINGSVILLE LANDFILL
PART I
ATTACHMENT 10
FEE PAYMENT RECEIPT

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Your transaction is complete. Thank you for using TCEQ ePay.

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt and the vouchers for your records. An email receipt has also been sent.

Transaction Information

Trace Number: 582EA000315158
Date: 09/12/2018 04:39 PM
Payment Method: CC - Authorization 0000321966
Amount: \$150.00
ePay Actor: Kelly Mayfield
Actor Email: kmayfield@hanson-inc.com
IP: 65.36.41.70

Payment Contact Information

Name: Kelly Mayfield
Company: Hanson Professional Services Inc
Address: 4501 Gollihar Rd, Corpus Christi, TX 78411
Phone: 361-813-7649

Cart Items

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
385823	MSW PERMIT/REGISTRATION/AMEND/MOD/TEMP AUTHORIZATIONS APPLICATION FEE		\$100.00
385824	30 TAC 305.53B MWP NOTIFICATION FEE		\$50.00
Total fees for transaction:		\$150.00	

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Transaction Information

Voucher Number: 385823
Trace Number: 582EA000315158
Date: 09/12/2018 04:39 PM
Payment Method: CC - Authorization 0000321966
Amount: \$100.00
Fee Type: MSW PERMIT/REGISTRATION/AMEND/MOD/TEMP/AUTHORIZATIONS
APPLICATION FEE
ePay Actor: Kelly Mayfield
Actor Email: kmayfield@hanson-inc.com
IP: 65.36.41.70

Payment Contact Information

Name: Kelly Mayfield
Company: Hanson Professional Services Inc
Address: 4501 Gollihar Rd, Corpus Christi, TX 78411
Phone: 361-813-7649

Site Information

RN: RN102334570
Site Name: CITY OF KINGSVILLE LANDFILL
Site Address: 348 COUNTY ROAD E 2130, KINGSVILLE, TX 78363 9653
Site Location: 1.7 MILES SE OF KINGSVILLE CITY LIMITS AT NE CORNER OF FM 2619 & CR E 213 INTERS

Customer Information

CN: CN600674246
Customer Name: CITY OF KINGSVILLE
Customer Address: P O BOX 1458, KINGSVILLE, TX 78364

Billing Information

Billing Name: CITY OF KINGSVILLE
Billing Address: P O BOX 1458, KINGSVILLE, TX 78364

Other Information

Comments: Major permit amendment application for horizontal and vertical expansion at the existing City of Kingsville Landfill

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Transaction Information

Voucher Number: 385824
Trace Number: 582EA000315158
Date: 09/12/2018 04:39 PM
Payment Method: CC - Authorization 0000321966
Amount: \$50.00
Fee Type: POSTAGE-MWP-WATER QUALITY PMT
ePay Actor: Kelly Mayfield
Actor Email: kmayfield@hanson-inc.com
IP: 65.36.41.70

Payment Contact Information

Name: Kelly Mayfield
Company: Hanson Professional Services Inc
Address: 4501 Gollihar Rd, Corpus Christi, TX 78411
Phone: 361-813-7649

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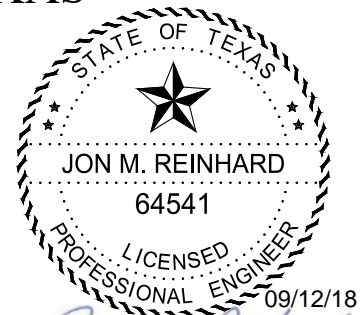
THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

PERMIT AMENDMENT APPLICATION
PART II



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0



Prepared by



HANSON PROJECT NO. 16L0438-0003

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1 EXISTING CONDITIONS SUMMARY §330.61(a)

The City of Kingsville currently operates the City of Kingsville Landfill, which is a Type I and Type IV municipal solid waste facility operating under TCEQ Permit No. 235-B. The landfill is scheduled to cease operation in 2061. The City intends to increase the site life and better utilize the available space at the landfill through the proposed expansion and design modifications.

1.1 General Facility Description

The City of Kingsville Landfill (Kingsville Landfill) is located in Kleberg County, Texas, at the northeast corner of the intersection of Farm to Market Road 2619 and County Road 2130. The northern boundary of the property is approximately 2,811 feet from FM 1717, while the eastern boundary is approximately 1,300 feet from N. County Road 1070 (See Part I, Attachment 2, Figure I.2-1 – General Location Map).

The Kingsville Landfill has been in existence since February 1977 and is intended to provide waste disposal for residences and businesses in Kleberg County and surrounding Texas counties. The nearest community is the City of Kingsville, whose city limits are approximately 1.45 miles from the northeast corner of the landfill boundary. The facility has undergone two permit amendments to date allowing it to extend its initial permit boundaries, and increase the permitted maximum elevation (Refer to Part I, Attachment 1, Section 1.2 – Permit History).

The existing Kingsville Landfill includes a scale house, an office building, and a maintenance shop, all enclosed within a perimeter fence. These facilities will continue to be operational for the life of the landfill. No new building or infrastructure improvements will be constructed as part of the proposed permit amendment.

The overall property consists of gently undulating grasslands with limited forest cover. The property generally slopes to the northeast with no major topographic features. The nearest 100-year floodplain is located to the northeast of the site along Santa Gertrudis Creek. There is one (1) known aerial electrical line easement within the permitted facility boundary. Surrounding land use is predominantly agricultural.

1.2 Purpose of the Permit Amendment Application

The City of Kingsville proposes to redesign the current City of Kingsville Landfill Permit 235-B, a Type I and Type IV Municipal Solid Waste Facility, in accordance with the Texas Administrative Code Chapter 330: Municipal Solid Waste Regulations. The redesign includes both a vertical and lateral expansion to increase the currently permitted disposal facility from 120-acres to 176.33-acres (121.3 acre waste disposal footprint), and the permitted maximum (final cover) elevation for the facility from 125-feet to 200-feet above MSL (the maximum waste elevation for the facility will be 196.92 feet-msl) as indicated in Part III, Attachment 1, Figures III.1-4 and III.7-1. The elevation of the deepest excavation will also be increased 20-feet to an

elevation of 22.5 feet-msl as indicated in Part III, Attachment 1, Figure III.1-3. The total permitted disposal capacity will be increased from approximately 5,813,000 cubic yards to an estimated 17,994,286 cubic yards.

This Permit Amendment Application presents several supporting site studies, including geological, geotechnical, groundwater, land use, slope stability, settlement, as well as a new wetlands delineation by the U.S. Army Corps of Engineers.

1.3 Other Authorizations Required

A review of the proposed project for permit requirements and any adverse potential impacts to environmental and cultural resources has been performed. No additional federal rulings or permits regarding wetlands, or floodplains are necessary for this amendment. Based on this review, no impacts to historical sites or to endangered species or critical habitat for endangered and or threatened species will occur.

1.4 Easements and Buffer Zones

The TCEQ regulations [30 TAC §330.543 (b) (A)] require that new landfills and vertical and lateral expansions of existing landfills have a 125-foot buffer zone between the property line and the waste disposal footprint. This requirement does not apply to previously permitted airspace, only to newly permitted airspace. The City of Kingsville Landfill is considered a previously permitted airspace and has a buffer zone of 50 feet. The 50-foot buffer zone will be maintained in previously permitted airspace, while a 125-foot buffer zone will be maintained in the vertical and lateral expansion areas. The buffer distances from the property boundary to each storage or processing facility are shown on Part I, Attachment 2, Figure I.2-5 and Part III, Attachment 1, Figure III.1-2.

30 TAC §330.543 (a) requires that no solid waste unloading, storage, disposal, and processing operations occur within any easement, buffer zone, or right-of-way that crosses the site. The City of Kingsville Landfill site does not have pipeline or utility easements in locations that will affect solid waste unloading, storage, disposal or processing operations.

1.5 Site Specific Conditions

Part II, Sections 2 Through 15 document a detailed discussion of site-specific conditions that potentially require special design considerations as set forth in 30 TAC §330.61 (a), including impact on surrounding areas, transportation, general geology, soils, groundwater, surface water, abandoned oil and water wells, floodplains, wetlands, endangered or threatened species, and Texas Historical Commission review. Based on this discussion, there are no existing site-specific conditions that require special design considerations or possible mitigation conditions.

2 WASTE ACCEPTANCE PLAN §330.61(b)

2.1 Sources and Characteristics of Waste

The operational procedures and redesign described in the Permit Amendment Application, once approved, will allow the facility to accept and dispose of municipal solid waste, construction and/or demolition waste, and some special wastes as defined by 30 TAC §330.3.

The facility will accept for disposal the following special waste allowable under 30 TAC §330.171: special wastes from health care related facilities, dead animals and/or slaughterhouse waste, non-regulated asbestos-containing materials (non-RACM), empty containers which have been used for pesticides, herbicides, fungicides, or rodenticides, Municipal hazardous waste from a conditionally exempt small quantity generator (CESQG), sludge, grease trap waste, grit trap waste, septage that contains free liquids, soil contaminated by petroleum products, crude oils, or chemicals and liquid waste from oilfield activities. Procedures for accepting and processing all special waste are detailed in the Site Operating Plan (Part IV). In the event that the City of Kingsville Landfill elects to accept other special wastes in the future, TCEQ authorization will be sought and procedures for acceptance and processing will be provided. Other materials that will be received for processing and potentially beneficial reuse include scrap tires and unsorted mixed recyclables.

Consistent with 30 TAC §330.15, the City of Kingsville Landfill will not accept for disposal lead acid storage batteries, used motor vehicle oil, used oil filters, refrigerators, freezers, air conditioners or other items containing chlorinated fluorocarbons (CFC), regulated hazardous waste, polychlorinated biphenyls (PCB) waste, radioactive materials, or other wastes prohibited by TCEQ. Friable asbestos-containing materials, and empty containers, as well as industrial hazardous waste, and Non-hazardous Class 1, Class 2, and Class 3 industrial waste will not be accepted for disposal.

The Site Operating Plan in Part IV of the application contains a detailed description of the restrictions pertaining to waste acceptance procedures. The Applicant (City of Kingsville) reserves the right to reject any waste material, including those mentioned above, that contributes a constituent or characteristic that may impact or influence the design or operation of the facility.

2.2 Volume and Rate of Disposal

Kingsville Landfill received approximately 31,444 tons of incoming solid waste in 2017. The maximum annual waste acceptance rate is anticipated to increase at approximately one (1) percent per year which corresponds to the anticipated yearly population growth rate for Kleberg County (based on population projections from the Texas State Data Center).

Table 1 shows the estimated maximum annual waste acceptance rates for the facility projected for five years, together with the associated population equivalents represented by these quantities.

TABLE 1: ESTIMATED MAXIMUM ANNUAL WASTE ACCEPTANCE RATE

Year	Estimated Maximum Annual Waste Acceptance Rate (Tons)	Population Equivalent
1	31,758	34,745
2	32,076	35,092
3	32,397	35,443
4	32,721	35,798
5	33,048	36,156

Note that these figures are only estimates and should not be considered either as a firm commitment of quantities to be received or as a limitation on the amount of waste to be received in any of the years shown. Actual quantities accepted at the site will vary depending on changes in population, economic activity, and changes in waste collection and disposal practices in the region. The City of Kingsville will continue to maintain records to document the annual waste acceptance rate for the facility. If the rate exceeds the estimated rate and is not due to a temporary occurrence, the City of Kingsville will file a permit modification application consistent with 30 TAC §330.125(h).

Once expanded, the landfill will provide a total remaining waste disposal capacity of approximately 15,225,000 cubic yards of waste and daily cover. The estimated site life is 98 years (See Part III, Section 5 for the detailed site life calculation).

3 GENERAL LOCATION MAPS §330.61(c)

The proposed expansion will be located on a 196.88-acre site situated within Kleberg County. Part I, Attachment 2, Figure I.2-1 is the general location map that shows the proximity of the facility to surrounding features.

4 FACILITY LAYOUT MAPS §330.61(d)

A facility layout map showing the items identified in §330.61(d)(1)-(9) is provided in Part I, Attachment 2, Figure I.5 and Part III, Attachment 1, Figure III.1-2.

5 GENERAL TOPOGRAPHIC MAP §330.61(e)

Consistent with §330.61(e), a United States Geological Survey (USGS) General Topographic Map for Ricardo, Texas is included in Part I, Attachment 2, Figure I.2-3.

6 AERIAL PHOTOGRAPH §330.61(f)

An aerial photograph of the City of Kingsville Landfill and surrounding area, dated 2012 is provided in Part I, Attachment 2, Figure I.2-4. The map shows the property boundary, landfill footprint, and a one-mile radius around the landfill site.

7 LAND USE MAP §330.61(g)

Consistent with §330.61(g), a map showing the character of the surrounding land use including proximity to residences, churches, schools, and cemeteries within one mile of the facility boundary is included as Part II, Attachment 1, Figure II.1-2 and II.1-4. As the proposed expansion and operations are consistent with the nature of current operations of the City of Kingsville Landfill and will be located within the property boundary, there will be no impacts to area zoning.

8 IMPACT ON SURROUNDING AREA §330.61(h)

8.1 Site Land Use

The site is currently being utilized as a Type I and Type IV municipal solid waste landfill operating under TCEQ Permit No. 235-B.

8.2 Zoning

The current City of Kingsville Landfill permit boundaries and the proposed expansion is not located within the city limits. It is however located within the City of Kingsville extraterritorial jurisdiction which extends two miles from the city's corporate boundaries. The City of Kingsville does not have zoning ordinances that control land use within their corporate limits, consequently, there are no zoning maps that define land use districts at the site.

However, the City of Kingsville entered a Joint Land Use Study (JLUS) with Kingsville Naval Air Station (NAS-Kingsville) in 2010. The purpose of the study was to establish regulations that guide land use within the vicinity of the airport. The envelope includes lands generally within five (5) miles from the runway ends with a width extending one and half (1.5) miles on either side of the centerline.

The City of Kingsville Landfill is within the land use envelope of NAS-Kingsville. The landfill site is classified as C1, Neighborhood Service Area in the Kingsville-Kleberg Joint Airport Zoning Board (JAZB) – Land Use Compatibility Guide. Part of the proposed easterly expansion falls in Accident Potential Zone II (APZ II) which requires compliance with FAA Part 77. Further information on compliance with airport restrictions is provided in Part II, Section 9.5.

8.3 Surrounding Land Use

The character of surrounding land uses within a one-mile radius of the proposed permit boundary was investigated through site visits and aeriels. The Joint Airport Zoning Board (JAZB) – Land Use Compatibility Guide was also utilized. The primary land use within a one-mile radius of the site was found to be agricultural consisting of cropland and pasture. Other surrounding land uses include single-family residential and neighborhood service properties (caliche mines) owned by Kleberg County. There do not appear to be any schools, licensed day care facilities, churches, hospitals, cemeteries, lakes, and commercial or industrial areas. The Texas Historic Sites Atlas of the Texas Historical Commission does not identify any historic sites, archaeological sites or sites with exceptional aesthetic qualities.

There are several small ponds within the one mile of the landfill site. These ponds are private stock ponds that hold water during the seasonal wet periods of the year.

Land use within one mile of the proposed permit boundary can be summarized as follows:

TABLE 2: SURROUNDING LAND USE – ONE MILE RADIUS

Land Use	Acres	Percent
Cultivated	1,802	51.5
Undeveloped/Pasture	1,136	32.5
Abandoned Caliche Mines	263	7.5
Residential	299	8.5
Total	3,500	100

The expanded site will extend the one mile radius in a north-easterly and south-westerly direction, most of which is agricultural.

8.4 Growth Trends and Directions of Major Development

The City of Kingsville Landfill site is in Kleberg County. The county’s population was 31,549 in 2000, and 32,061 in 2010. According to the Texas State Data Center, the population of Kleberg County is projected to increase to 46,244 in 2050. For the 40-year period, the population is projected to increase by 44.24%.

The nearest community is the City of Kingsville, whose city limits are approximately 1.45 miles from the northeast corner of the proposed landfill boundary. The primary growth in the vicinity of Kingsville, though slow and confined within the city limits is projected in the south and southeast areas. Ricardo is a small town located 2.33 miles to the southwest of the landfill site. Ricardo’s population increased from 1,019 in 2000 to 1,048 in 2010. As can be noted, the population growth in Ricardo is stunted and confined to areas near State Highway 77.

The nearest residence to the north of the landfill site is approximately 600 feet from the proposed boundary. Just inside the five mile radius in the same direction is the Kingsville Naval Air Station (NAS-Kingsville). Growth trends in this area are expected to be slow due to the influences of the current uses. The area immediately to the southwest (within one-half mile) is owned by Kleberg County and has several abandoned caliche mines. This area and the remaining surrounding areas (mostly agricultural) within the one-mile radius of the landfill site are also expected to have very little to no growth. Therefore, the proposed vertical and lateral expansion should not adversely affect area development.

8.5 Proximity to Residences and Other Uses

Surrounding land use within one mile of the landfill can be seen on Part II, Attachment 1, Figures II.1-2 and II.1-4. The surrounding area does contain some low density rural residential development interspersed within the primarily agricultural cropland and pasture. The number of structures located within 500 feet and one mile of the site was determined through a visual

reconnaissance and review of aerial photography. There are four (4) non-habitable and no habitable structures located within 500 feet from the proposed boundary of the City of Kingsville Landfill. Within one mile of the site and outside the 500-foot limit, there are approximately seventy-three non-habitable, and fifty-four (54) habitable structures. The nearest residences to the facility are located approximately 600 feet north of the northwest corner of the current landfill property boundary.

The nearest airfield is the Kingsville Naval Air Station (NAS-Kingsville) located approximately two (2) miles northeast of the landfill. NAS-Kingsville as well as the Federal Aviation Administration (FAA) are aware of the location of the City of Kingsville Landfill and its operations. Other than NAS-Kingsville, the nearest airport is the Bishop Municipal Airport. This airport is located about 11 miles to the northeast and is not within the jurisdictional limits of the regulatory airport restrictions.

Santa Gertrudis Creek is located about 3,000 feet to the northeast of the northeast corner of the current site and about 2,000 feet to the northeast of the northeast corner of the proposed easterly expansion.

8.6 Water Wells/ Oil and Gas Wells

A water/oil and gas well search was conducted to identify known wells within a 500-foot radius of the proposed facility boundary. The well search included a review of the Texas Water Development Board, the Texas Commission on Environmental Quality (TCEQ), and the Railroad Commission records. The U.S. Geological Society database was also checked for groundwater sites on which it collects data.

Based on this review, there do not appear to be any known active water wells located within 500 feet of the landfill boundary. There is an active oil well located approximately 250 feet east and 1,200 feet north of the current southeast corner of the landfill boundary. There is an active gas well located approximately 300 feet west and 1,270 feet south of the current northwest corner of the landfill boundary. Other oil and gas wells on or near the facility are inactive or were dry holes and have been properly capped, closed, and plugged in accordance with Railroad Commission regulations.

Information relating to the locations and descriptions of all known wells within 500-feet of the City of Kingsville Landfill is presented in Part II, Attachment1, Figures II.1-3 and Figures II.1-4. This map includes the locations of all oil and gas, and water wells located within 500-feet of the facility.

9 TRANSPORTATION §330.61(i)

9.1 Selected Routes

Vehicles entering the City of Kingsville Landfill include semi-trailers, dump trucks and trailers, and light duty trucks. E County Road 2130 (CR E 2130), Farm to Market Road 1717 (FM 1717), and Farm to Market Road 2169 (FM 2169) will provide access to the site. These routes are asphalt paved and are the same routes currently in use for the City of Kingsville Landfill. The transportation network used to access the landfill is presented as Part II, Attachment 1. Figure II.1-1.

9.2 Adequacy of Roads

The privately owned site entrance road is currently a two-lane, 24-foot wide road maintained by the City of Kingsville to ensure access to the facility. The Texas Department of Transportation is responsible for maintaining FM 2169 and FM 1717 while E CR 2130 is maintained by Kleberg County. All roads are adequate for use by vehicles up to the legal maximum of 58,420 pounds, including solid waste collection vehicles entering and exiting the facility. Periodic maintenance of the roads is routinely undertaken by the City and TXDOT as necessary to maintain availability of these routes to the landfill and to ensure that residents and businesses along the routes have continued access. Correspondence with TXDOT regarding the adequacy of roads used to access the facility is included in Part II, Attachment 3.

9.3 Existing Traffic Volumes

All landfill traffic access the facility via the single site entrance road from E County Road 2130 (E CR 2130) and Farm to Market Road 2619 (FM 2619) which is in-turn accessed via Farm to Market Road 1717 (FM 1717). TXDOT records show the Annual Average Daily Traffic (2016 AADT) is approximately 731 on FM 2619 at the nearest traffic count northwest of the landfill and 1,218 on FM 1717 at the traffic count northwest of the landfill (Refer to Part II, Attachment 1. Figure II.1-1. There are no available traffic counts for E CR 2130. Approximately 46 City, commercial, and citizen waste hauling vehicles per day use the City of Kingsville Landfill.

9.4 Projected Volume of Vehicular Traffic

The proposed vertical and lateral expansion will not have an impact on vehicular traffic in the area as the rate at which municipal solid waste is received by the facility will not be affected. The traffic volume projection is calculated at the expected annual population growth rate of approximately one (1) percent. Traffic volumes and calculations are presented in the Table 3.

TABLE 3: VEHICULAR TRAFFIC PROJECTION

Year	Population	Growth Rate %	Traffic FM 1717	Traffic FM 2619 and 2130	Traffic Landfill
2010	32,061 ⁱ		1,218 ⁱⁱ	731 ⁱⁱ	46 ⁱⁱⁱ
2020	35,537 ⁱ	1.03	1,191	769	49
2030	38,918 ⁱ	0.91	1,315	849	54
2040	42,479 ⁱ	0.88	1,453	938	60
2050	46,244 ⁱ	0.85	1,605	1,036	66

ⁱ Population projections obtained from Texas State Data Center

ⁱⁱ Average Daily Traffic (2016) obtained from Texas Department of Transportation

ⁱⁱⁱ Landfill Traffic obtained from 2014 City of Kingsville Landfill records

According to the TXDOT Roadway Design Manual (Table 3-8: Width of Travel Lanes and Shoulders on Rural Two-lane Highways), a two-lane (12-foot lane width) rural roadway can adequately support more than 2,000 average daily traffic for design speeds of 80 mph. Therefore, the roadways used to access the City of Kingsville Landfill can adequately support the projected level of traffic.

9.5 Airports

The nearest airfield is the non-public-use Kingsville Naval Air Station (NAS-Kingsville) located northeast of the landfill. The north landfill boundary line is approximately 2.73 miles to the end of the nearest runway and falls within the 6 miles jurisdictional limit of the regulatory airport restrictions (Refer to Part II, Attachment 4, Figures 1 and 2). It is understood that NAS-Kingsville serves as a training field for pilots from NAS-Kingsville. NAS-Kingsville personnel have been notified of the proposed development and how it may impact their activities. The Kingsville Naval Air Station has provided notice that the airfield operations will not be adversely affected by the development. However, the City of Kingsville must continue to maintain the working face of the landfill (where trash is exposed) to as small of an area as practical to minimize the potential of the site to attract birds, and continue to enforce bird control measures to minimize the bird population on-site. Correspondence with NAS-Kingsville can be found in Part II, Attachment 2.

The nearest public-use runway is Bishop Municipal Airport which is approximately 11 miles north of the facility. This falls outside the five mile notification distance as required by 30 TAC §330.545 (b). Kingsville Landfill therefore does not require further critical evaluation for site location incompatibility or impact upon this airport.

10 GENERAL GEOLOGY AND SOILS §330.61(j)

10.1 Regional Geology

The Texas Coastal Zone is composed of several active, natural systems of environments: Fluvial deltaic, barrier-strandplain-chenier and bay-estuary-lagoon systems. as well as an eolian (wind) system in South Texas and marsh-swamp systems in more humid middle and upper coastal regions (Part III, Attachment 4). Sedimentary deposits that originated in ancient but similar. Coastal systems also underlie the Coastal Zone. (Brown, 1977) The classic sediments composing the geologic formations grade from fluvial and deltaic sand, silt and clay in inland areas to predominantly finer sediments that interfinger with brackish and marine sediments near the Gulf Coast and offshore. Geologic structure in the area is relatively simple. The water bearing formations underlying the report area form a monocline which dips gently toward the coast. Although faults are fairly common in many of the deeply buried formations, none of the geologic formations within the scope of this report are known to be displaced by significant faults (Shafer. 1973).

10.2 Site Geology and Soils

The primary geologic formations exposed at the site are Holocene & Pleistocene Alluvium. Barrier Island Deposits and South Texas Eolian Plain Deposits. Sediments encountered at the site consist of clays, silts, sands, and some caliche. Cross-sections have been prepared and are included in the report (Part III Attachment 4). The subsurface geological structure at the Kingsville landfill site is shown to be fairly uniform down to approximately 10 feet above MSL in these elevations. Light olive green marine clay underlies the site that is more than 38-feet thick. The maximum explored depth for which soil samples were collected was 86-feet below ground surface. This layer forms the aquiclude at the site. The top of this clay varies from 5-feet to 17-feet above mean sea level below the landfill site.

The primary geologic formations exposed at the surface of the site are recent Holocene South Texas Eolian Plain Deposits. The topsoil (approximately 0-feet to 20-feet) consists of clay, which is black silty and contains humic material. This soil is overlain in the extreme northeast corner with a veneer of loess. Sediments encountered in borings at the site are Holocene to Pleistocene in age and consists of clays, silts, sands and caliches deposited in two (2) separate and distinct environments of deposition. Attachment 4 illustrates these environments of deposition. Four (4) deep borings at the MSW landfill site penetrate, a minimum thickness of 38-feet of, a massive low permeability, light olive green clay ("Light Olive Green Clay") believed to have been deposited in a marine (estuarian) environment.

The "Light Olive Green Clay" is the aquiclude for the MSW landfill facility. In turn, the "Light Olive Green Clay" is capped by a sheet of sand ("Orange Sand") possibly 2-feet to 10-feet thick

across the site of the MSW landfill. Stratigraphically above the "Orange Sand", the environment of deposition changes to fluvial-deltaic for the remaining 40-feet to 50-feet of section, measured back to the surface. These beds are comprised of sands, silts, caliches, and clays deposited as superimposed channels sands and clayey dunes or bars. Bodies I and II are superimposed, caliche or sand filled channels with Body I having the larger areal extent. Bodies II and IV are reinterpreted as dunes or bars of limited extent and are comprised of clayey sand. All of the above sand bodies are incised into, or embedded within, a tan, silty clay containing abundant mottles of organic matter. Taken together, the marine clay section, ("Light Olive Green Clay") overlain by fluvial-deltaic section represents a single regressive cycle, with respect to sea level at the top of the Pleistocene Beaumont formation. It is believed that the entire fluvial-deltaic section is comprised of Holocene sediments with the Holocene-Pleistocene boundary represented by the top of the "light Olive Green Clay" or "Orange Sand". The "Light Olive Green Clay" has a monoclinical dip to the northeast at approximately 20-feet per mile. Deposition of the above sediments postdates uplift of the Kingsville Dome. Pre-uplift formations are Miocene and older and exhibit west dip at depth in the vicinity of the MSW landfill site (See Part III, Attachment 4).

A thorough soils study was made from available literature sources (Environmental Geologic Atlas, Texas Coastal Basins Survey, Kleberg County Soil Conservation Service Map, USDA Kleberg County SCS Aerial Photos of MSWLF site, and Iowa State National Cooperative Soil Survey Database). The best description of the site is a Group IX Soil type of stabilized dunes with surface soils around the caliche pit of Hidalgo, Racombes, Willacy and Runge series.

10.3 Fault Areas

The property on which the City of Kingsville Landfill is located was examined for the presence of faulting according to 30 TAC §330.555 criteria. A fault study was conducted that included reviewing aerial photographs of the site, reviewing the available geologic literature and maps of the area, field observations, and examining subsurface boring data from the site. The site and surrounding area (within 200 feet) were investigated for: structural damage to constructed facilities, scarps in natural ground, presence of surface depressions, lineations (noted on aerial maps), vegetation changes, crude oil and natural gas accumulations, changes in elevations of established benchmarks and structural control of natural streams.

Based upon field observations at the site, there are no unusual scarps or topographic breaks within 200 feet of the site. In addition, there is no evidence to suspect mass movement of natural formations of earthen material on or in the vicinity of the site. No structural damage to constructed facilities (roadways, railways, and buildings) and no changes in drainage or vegetation patterns which are also associated with faulting were observed.

The literature review did not indicate the presence of any fault areas at the landfill facility or proposed expansion areas. This site is in full compliance with the regulatory restrictions regarding fault areas.

10.4 Seismic Impact Zones

TCEQ regulations (30 TAC §330.557) stipulate that landfill units shall not be located in a seismic impact zone (defined as an area with a 10% or greater probability that the maximum horizontal acceleration will exceed 0.10 g in 250 years) unless designed to resist the seismic forces. Based upon a review of U.S. Geological Survey Open File Report 82-1033 (entitled “Probabilistic Estimates of Maximum Acceleration and Velocity in Rock in the Contiguous United States” (1982)), the Kingsville landfill facility is located in an area having a maximum horizontal acceleration of approximately 0.04 g not being exceeded in 250 years. Based on this data, this area will not experience any significant seismic activity. Therefore, the landfill is not in a predictive earthquake zone, and is in full compliance with seismic impact zone regulatory restrictions.

10.5 Unstable Areas

The existing landfill site and the proposed expansion areas were evaluated for susceptibility to unstable areas. An unstable area is defined by the TCEQ as a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of a landfill's structural components responsible for preventing releases from the landfill. An unstable area can include poor foundation conditions, areas susceptible to mass movement, and karst terrains.

The determination of potential unstable areas at the landfill was based on site observations and a review of existing documentation for the site. Site specific soil conditions which might result in differential compaction were not evident. A 2-foot to 2.5-foot topsoil and loess cover is present in the current agricultural area and the unmined areas. Below, the topsoil is a firm to very hard clay. This clay is described as silty, calcified, with caliche, and is uniform in character throughout the site.

No foundation problems or evidence of mass movement of natural formations of earthen material were identified in any of the constructed structures or soil borrow areas to indicate the presence of any unstable conditions. The site is not located in a Karst area. The integrity of the landfill is therefore not expected to become impaired by natural or human-made features or events.

11 GROUNDWATER AND SURFACE WATER §330.61(k)

11.1 Groundwater

The aquifer upon which much of Kleberg County relies is the Evangeline Aquifer. This aquifer is a part of the Gulf coast aquifer system and is contained within the Flemming and Goliad sands. Evangeline aquifer is the most extensive source of fresh groundwater in the county and is considered one of the most prolific aquifers in the Texas Coastal Plain. Fresh water of domestic use quality in the Evangeline is found in well-developed sands at depths of 500 feet and greater.

The aquifer in the locality of the landfill is the Chicot aquifer, or upper component of the Gulf Coast aquifer system. The Chicot, is an unconfined aquifer, which is present in the vicinity of the landfill at depths of 200 feet to 300 feet below ground surface. The direction of flow in the Chicot is strongly toward the northeast and the southwest with a flat mounding area in the middle. The ground water mostly flows away from the site in all directions. However, the flows from the southeast quadrant and northwest quadrant, periodically change directions based upon excessive rainfall events or extended periods of drought. The water flow from these two directions tends to ultimately leave the site to the northeast or the southwest.

Consistent with the provisions of 30 TAC §330.549 related to groundwater, the facility is not located within the recharge zone of the Edwards aquifer and is therefore not subject to 30 TAC Chapter 213. Additional groundwater information is provided in Part III, Attachment 4 - Geology Report.

11.2 Surface Water

The City of Kingsville Landfill is not located in a significantly recognized drainage area. It however, does contribute to the drainage of the Santa Gertrudis Creek. Topographically, drainage is generally to the northeast. Uncontaminated surface water from the landfill site drains to an ephemeral drainage course beginning at the northwest corner of the property and terminating at Santa Gertrudis Creek. Area surface and drainage features are presented in the General Topographic Map presented as Part I, Attachment 2, Figure I.2-3.

Surface water drainage, as well as erosion and sediment control facilities will be designed and constructed as part of the development of the site. These improvements are associated with the landfill footprint and entrance facilities and include perimeter channels, berms, detention ponds and other Best Management Practices (BMP's). The run-on and run-off control measures put in place will ensure that uncontaminated surface water is diverted to the surface drainage system to be discharged from the site without being exposed to the waste in the active areas of the landfill. Additional information on surface water protection is provided in Part III, Attachment 6 – Facility Surface Water Drainage Report.

11.3 Stormwater Permitting

The facility will be designed to prevent the discharge of pollutants into waters of the State of Texas or Waters of the United States, as defined by the Texas Water Code and the Federal Clean Water Act, respectively. The City of Kingsville has an approved TPDES General Permit relating to stormwater discharge.

12 ABANDONED OIL AND WATER WELLS §330.61(I)

As described in Part II, Section 8.6, there are no known abandoned water wells within the proposed City of Kingsville Landfill boundary. There are however, three inactive oil/gas wells and two dry holes that have been properly capped, closed, and plugged in accordance with Railroad Commission regulations. Should any unknown abandoned water and oil/gas wells be discovered during the landfill expansion project, the City of Kingsville will provide written notification to the TCEQ executive director of their location. A copy of the well plugging report for any found well will be submitted to the appropriate state agency and executive director prior to construction.

13 FLOODPLAINS AND WETLANDS §330.61(m)

13.1 Floodplains

The current Flood Insurance Rate Maps for Kleberg County do not indicate that there are any flood plains located on the existing permit boundary or the proposed expansion limits. The limits of the floodplain are depicted on Part II, Attachment 1, Figure II.5 compiled from the FIRM Community Panel Numbers 48273C0305E and 48273C0325E. This figure includes the facility boundary and proposed landfill footprint with the limit of the FEMA 100-year floodplain and demonstrates that the proposed waste disposal units will not be located within the limits of the 100-year floodplain. Therefore, waste disposal operations at the City of Kingsville Landfill will not restrict the flow of the 100-year flood, will not reduce the temporary water storage capacity of the floodplain, and will not result in the washout of solid waste. The site is in compliance with 30 TAC §330.547.

13.2 Wetlands

30 TAC §330.61 requires identification and determination of wetlands within the proposed facility boundary. Site visits, as well as a review of the U.S Fish and wildlife Service (USFWS) National Wetlands Inventory (NWI) maps, USGS topographical maps, soil surveys, and floodplain maps were conducted in an attempt to identify any wetlands on site. Two “Freshwater Emergent” wetland areas were identified on the landfill property. However, these two areas are not jurisdictional. Most of the site is comprised of permitted fill areas designated for the placement of waste material and the terrain around the landfill site is relatively flat with no trees or wetland type features.

In addition to the site visits and literature review, the U.S. Army Corps of Engineers was contacted for a jurisdictional determination and concluded that there are no potential waters of the U.S. or potential wetlands at the landfill site that will be impacted by the proposed expansion. A copy of correspondence with the U.S Army Corps of Engineers is presented in Part II, Attachment 5.

14 ENDANGERED SPECIES §330.61(n)

A site evaluation to assess the potential for the facility to harbor endangered and threatened species, or to provide critical habitat for such species was conducted. This evaluation included obtaining current lists of both federal and state listed species for Kleberg County, a site reconnaissance, and coordination with the U.S Fish and Wildlife Service and the Texas Parks and Wildlife Department. No potential habitat for federally listed threatened or endangered species or designated critical habitat occurs within the permit area, or the property. And, no federally listed threatened or endangered species have been observed on the property.

Correspondence with the U.S Fish and Wildlife Service and the Texas Parks and Wildlife Department confirms that the operation of the facility will not result in the destruction or adverse modification of the critical habitat of endangered or threatened species, and will not cause or contribute to the taking of any endangered or threatened species. Applicable correspondence is included as Part II, Attachment 6.

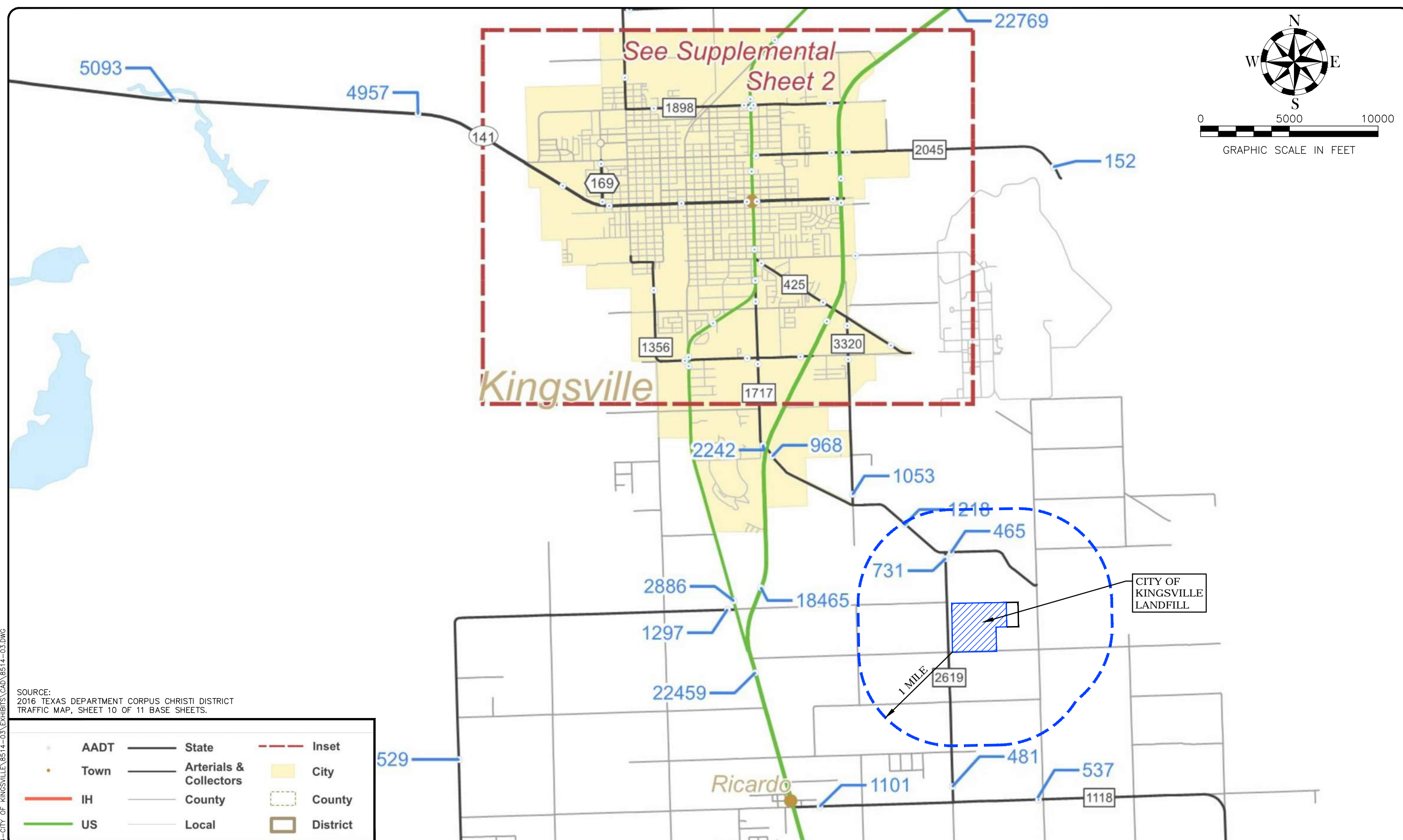
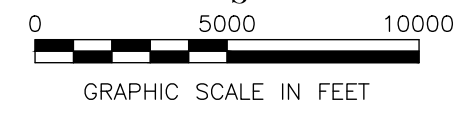
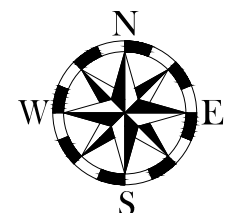
15 ARCHEOLOGICAL AND HISTORIC SITE REVIEW §330.61(o)

In an effort to assess the impacts of the proposed expansion to historic properties and to State Archeological Landmarks, a review of site records available on the Texas Historical Sites Atlas and the Geologic Atlas of Texas was conducted. A review letter was also submitted to the Texas Historical Commission asking them to address the presence, location and potential impact upon any archeological or historical sites within or adjacent to the facility. The State Historic Preservation Officer determined that no archeological or historical sites will be impacted by the project. Applicable correspondence is included as Part II, Attachment 7.

16 COUNCIL OF GOVERNMENTS AND LOCAL GOVERNMENT REVIEW §330.61(p)

Consistent with 30 TAC §330.61(p), Parts I and II of the application were submitted for review to the Coastal Bend Council of Governments (CBCOG) to determine compliance with the regional solid waste plan. Any correspondence received from the CBCOG regarding their determination if the proposed expansion conforms to the regional plan and is compatible with land use in the area will be provided to the TCEQ upon receipt. Documentation of coordination with CBCOG is provided in Part II, Attachment 8.

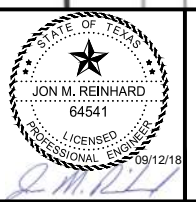
CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 1
MAPS AND DRAWINGS



SOURCE:
2016 TEXAS DEPARTMENT CORPUS CHRISTI DISTRICT
TRAFFIC MAP, SHEET 10 OF 11 BASE SHEETS.

	AADT		State		Inset
	Town		Arterials & Collectors		City
	IH		County		County
	US		Local		District

NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



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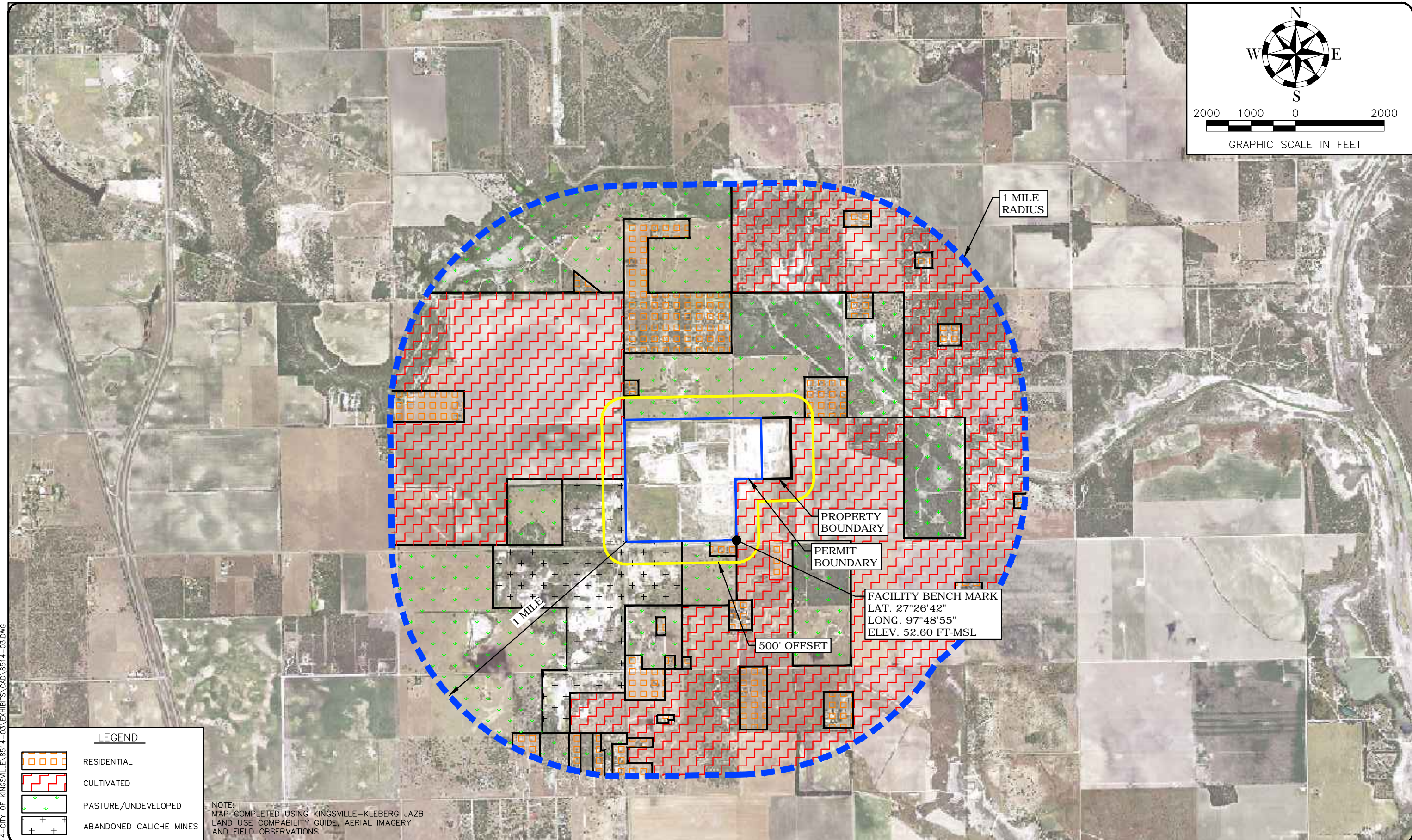
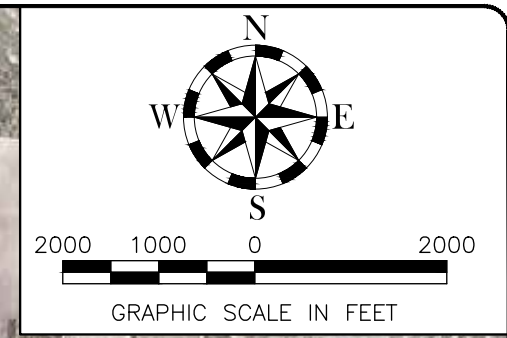
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PART II-ATTACHMENT 1
 2013 CORPUS CHRISTI DISTRICT
 TRAFFIC MAP
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

FIGURE:
II.1-1

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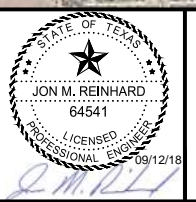
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	RESIDENTIAL
	CULTIVATED
	PASTURE/UNDEVELOPED
	ABANDONED CALICHE MINES

NOTE:
MAP COMPLETED USING KINGSVILLE-KLEBERG JAZB
LAND USE COMPABILITY GUIDE, AERIAL IMAGERY
AND FIELD OBSERVATIONS.

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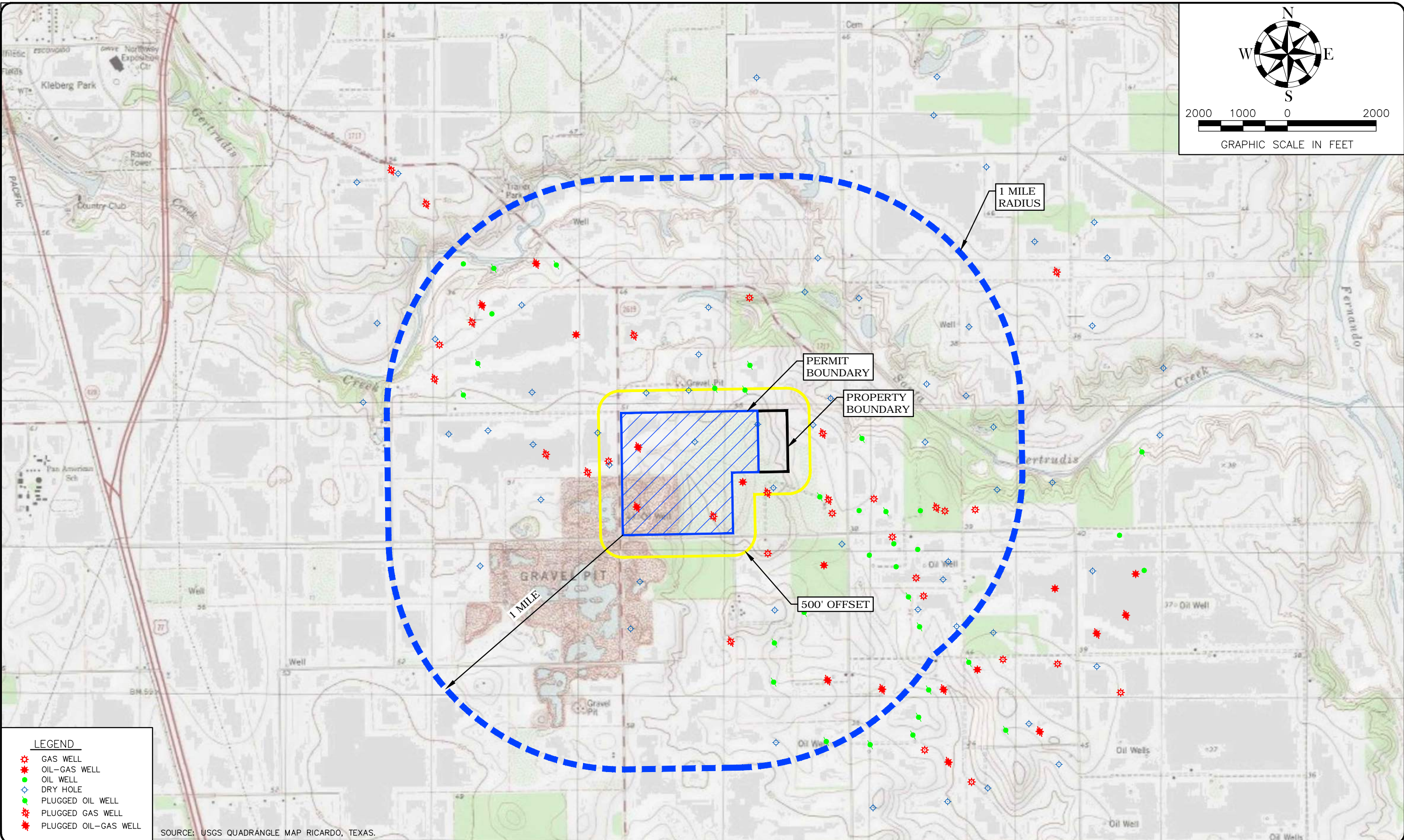
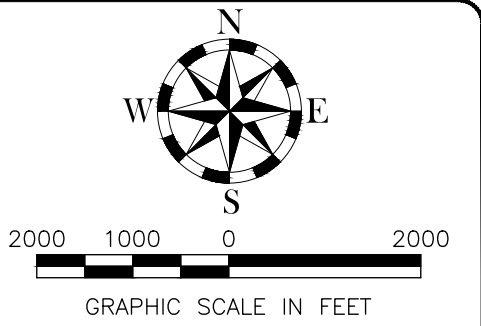
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**PART II-ATTACHMENT 1
LAND USE MAP
CITY OF KINGSVILLE LANDFILL**
MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

**FIGURE:
II.1-2**



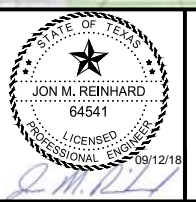
LEGEND

- ★ GAS WELL
- ★ OIL-GAS WELL
- OIL WELL
- ◇ DRY HOLE
- PLUGGED OIL WELL
- ★ PLUGGED GAS WELL
- ★ PLUGGED OIL-GAS WELL

SOURCE: USGS QUADRANGLE MAP RICARDO, TEXAS.

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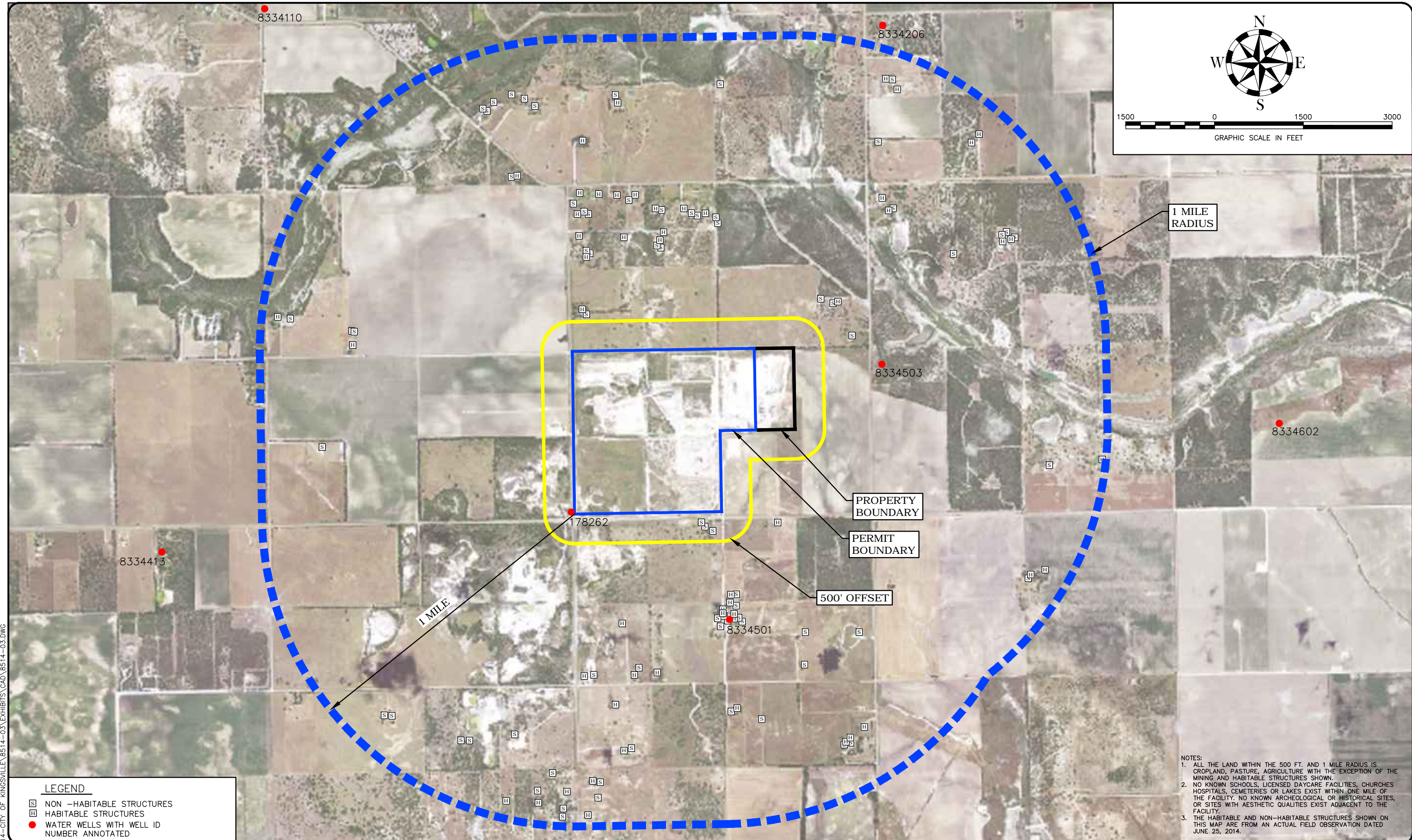
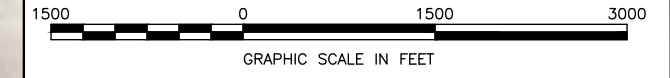
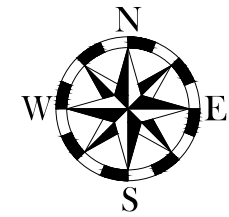
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**PART II-ATTACHMENT 1
OIL AND GAS WELL LOCATION MAP
CITY OF KINGSVILLE LANDFILL**
MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

**FIGURE:
II.1-3**



LEGEND

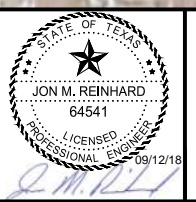
	NON -HABITABLE STRUCTURES
	HABITABLE STRUCTURES
	WATER WELLS WITH WELL ID NUMBER ANNOTATED

NOTES:

- ALL THE LAND WITHIN THE 500 FT. AND 1 MILE RADIUS IS CROPLAND, PASTURE, AGRICULTURE WITH THE EXCEPTION OF THE MINING AND HABITABLE STRUCTURES SHOWN.
- NO KNOWN SCHOOLS, LICENSED DAYCARE FACILITIES, CHURCHES, HOSPITALS, CEMETERIES OR LAKES EXIST WITHIN ONE MILE OF THE FACILITY. NO KNOWN ARCHEOLOGICAL OR HISTORICAL SITES, OR SITES WITH AESTHETIC QUALITIES EXIST ADJACENT TO THE FACILITY.
- THE HABITABLE AND NON-HABITABLE STRUCTURES SHOWN ON THIS MAP ARE FROM AN ACTUAL FIELD OBSERVATION DATED JUNE 25, 2014.

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**PART II-ATTACHMENT 1
 HABITABLE STRUCTURES
 WITHIN 1 MILE
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS**


**FIGURE:
 II.1-4**

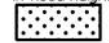
LEGEND

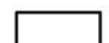
-  SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD



- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.








- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



-  FLOODWAY AREAS IN ZONE AE
- The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



-  OTHER FLOOD AREAS
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

-  OTHER AREAS
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

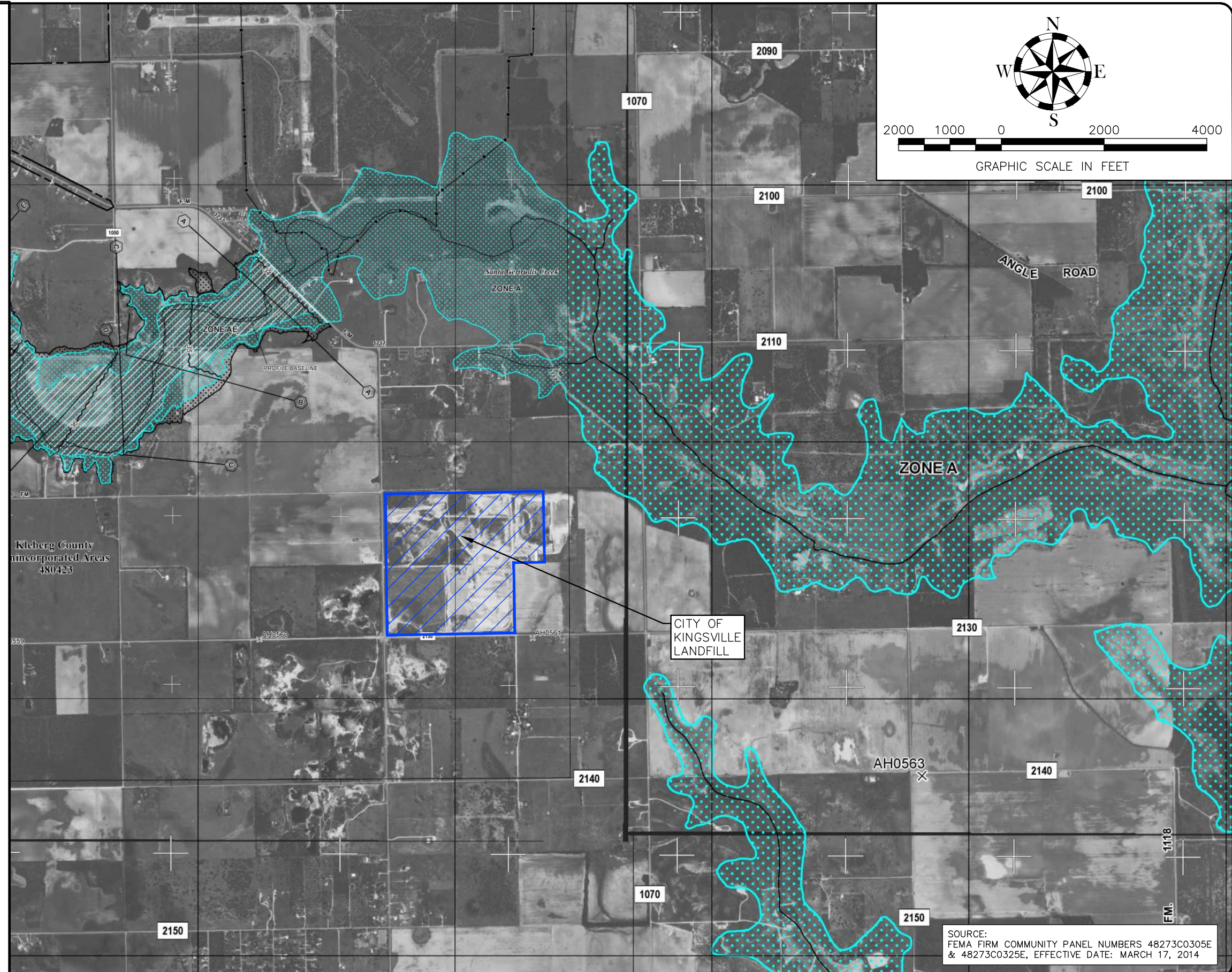
-  COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
-  OTHERWISE PROTECTED AREAS (OPAs)
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

-  1% annual chance floodplain boundary
-  0.2% annual chance floodplain boundary
-  Floodway boundary
-  Zone D boundary
-  CBRS and OPA boundary
-  Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
-  Limit of Moderate Wave Action

-  513 Base Flood Elevation line and value; elevation in feet*
-  (EL 987) Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988

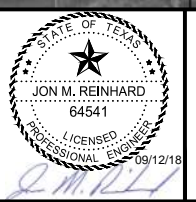
-  Cross section line
-  Transect line

- 87°07'45", 32°22'30" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 2476000mN 1000-meter Universal Transverse Mercator grid values, zone 14N
- 600000 FT 5000-foot grid values: Texas State Plane coordinate system, South zone (FIPSZONE 4205), Lambert Conformal Conic projection
- DX5510 x Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 River Mile



SEP 11, 2018 1:39 PM TORREDO1809 I:\16JOBS\1610438\8514-CITY OF KINGSVILLE\8514-03\EXHIBITS\CAD\FLOODPLAIN.DWG

NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



Hanson No. 1610438
 Filename: FLOODPLAIN
 Scale: AS SHOWN
 Date: 09/12/2018

LAYOUT	DT	09/12/2018
DRAWN	DT	09/12/2018
REVIEWED	JMR	09/12/2018



Hanson Professional Services Inc.
 4501 Gollihar Rd.
 Corpus Christi, Texas 78411

TBPE F-417
 TBPLS F-10039500
 TBPG F-50556
 TBAE F-BR 2458

Phone: (361) 814-9900
 (800) 677-2831
 www.hanson-inc.com
 Offices Nationwide

PART II-ATTACHMENT 1
 FLOODPLAIN MAP
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

FIGURE:
 II.1-5

CITY OF KINGSVILLE LANDFILL

PART II

ATTACHMENT 2

NAVAL AIR STATION KINGSVILLE, TEXAS (NAS-KINGSVILLE)

COORDINATION CORRESPONDENCE



DEPARTMENT OF THE NAVY
NAVAL AIR STATION
554 MC CAIN ST SUITE 310
KINGSVILLE TX 78383 5054

11000
Ser N00/001
JAN 07 2015

Mr. Charlie Cardenas
City Engineer and Director of Public Works
City of Kingsville
P.O. Box 1458
200 E. Kleberg St.
Kingsville, TX 78364

Mr. Cardenas,

This letter is in response to Assistant Public Works Director Mr. William Donnell's request of November 3rd, 2014 to increase the permit height of the city's land fill located approximately three miles south of NAS Kingsville from 115 feet mean sea level (MSL) to a not-to-exceed height of 200 feet (MSL).

This request, having been vetted through Naval Flight Information Group and Training Air Wing TWO, is approved. I do request that when the city secures the new land fill permit that you provide a copy for our records.

Thank you for allowing NAS Kingsville to comment and taking into consideration the possible impact of this project to our mission. Should you require additional information, my point of contact is Mr. Glenn Jones, Community Plans Liaison Officer, (361) 516-4770.

Sincerely,

A handwritten signature in black ink, appearing to read "C. C. Misner".

C. C. MISNER
Captain, U.S. Navy
Commanding Officer

CITY OF KINGSVILLE LANDFILL

PART II

ATTACHMENT 3

TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)

CORRESPONDENCE

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 3-A
SUBMITTAL TO
TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

October 23, 2015

Chris Caron, P.E.,
District Engineer
Corpus Christi District
Texas Department of Transportation
1701 S. Padre Island Drive
Corpus Christi, TX 78416

**Re: Coordination Letter and Request for Information
Traffic Study for City of Kingsville Municipal Solid Waste Landfill,
Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Caron:

On behalf of the City of Kingsville (City), Naismith Engineering, Inc. (NEI) is preparing a permit amendment application for a vertical and lateral expansion of the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill). The Kingsville Landfill is located southeast of the City of Kingsville, Kleberg County, Texas. The entrance to the landfill is located at 348 East County Road 2130. Other roads used to access the site include Farm to Market Road (FM) 1717 and Farm to Market Road (FM) 2619. The enclosed maps show the access routes and location of the landfill.

This letter is being submitted to document coordination with the Texas Department of Transportation (TXDOT) (consistent with the requirements of Texas Commission on Environmental Quality (TCEQ) municipal solid waste (MSW) Rule 30 TAC §330.61(i)(4)). We are requesting a written response from TxDOT to provide specific requested data (identified below). We are also requesting information regarding any traffic or related location restrictions, and any proposed roadway improvements being planned in the vicinity of the site.

BACKGROUND INFORMATION

- The landfill is an existing facility, currently in operation. The location is shown on attached Figure 1. The landfill entrance/exit is located on East County Road (E CR) 2130. No changes to the existing landfill entrance/exit are planned at this time.
- On a typical day the existing facility generates approximately 65 vehicle trips per day entering and exiting the landfill via the driveway on E CR 2130. These vehicle counts are

Mr. Chris Caron, P.E.
Texas Department of Transportation
October 23, 2015
Page 2 of 3

based on the facility's scale records, waste receipts, and the typical number of employees and visitors accessing the site on a given day.

- To clarify terminology, please note that the term "expansion" refers to a waste disposal capacity increase of the landfill. Thus, it will allow an extension in site life of the landfill. In terms of expected traffic, the expansion is not expected to trigger any new sources of traffic or sudden increase in traffic – rather, gradual steady growth of existing landfill traffic over time is anticipated.
- Based on existing landfill customer traffic patterns, the main area roads used by waste hauling vehicles coming to and from the landfill are E CR 2130, FM 1717 and FM 2619, shown on the enclosed maps.
- The current site life of the landfill is approximately 46 years. At this time, we estimate that the post-expansion remaining site life of the landfill to be about 100+ years.

REQUESTED INFORMATION

The TCEQ MSW Rules establish the scope of the traffic study. Per the TCEQ Rules, we are conducting a project-specific transportation (i.e., traffic) study on relevant roadways within 1-mile of the site. Below are specific topics we are requesting TXDOT to address in written form.

- Major roadways. The major roadways within a 1-mile radius of the site boundary that have been selected for this study are E CR 2130, FM 2619 and FM 1717. This is because traffic navigating to and from the landfill facility primarily use these roads, as they are the most logical and convenient routes to and from the site. We would like guidance on whether TXDOT would like any other roads included in this study (refer to attached Figure 2).
- Traffic Growth Rate Projections. NEI conducted an analysis of TXDOT's annual average daily traffic (AADT) data as well as of projected regional population growth as published by the Texas State Data Center (TXSDC). Using TxDOT's AADT data from 2009-2013 for FM 1717 and FM 2619, an average annual growth rate of 2.6% was calculated. From TXSDC, the projected regional population growth is 42.24% from 2010-2050 or about 0.91% per year. NEI believes it is reasonable to use a combination of the above growth rates for the background (non-landfill) traffic on the surrounding roadways. Accordingly, NEI is proposing to use a 2.6% annual growth rate from 2015-2024 and a 1.0% annual growth rate from 2025-2090. We would like guidance on whether TxDOT believes this is an acceptable growth rate to use or if another traffic growth rate should be assumed for the timeframe of this study.



FOR PERMIT PURPOSES ONLY

Mr. Chris Caron, P.E.
Texas Department of Transportation
October 23, 2015
Page 3 of 3

- If data more recent than the 2013 AADT data is available, please provide information regarding traffic volume counts performed on major roadways within a 1-mile radius of the site.
- Please provide information regarding any planned maintenance or construction improvements on major roadways within 1-mile of the site.
- Please provide information on load-restricted roadways that have gross vehicle weight limits less than 80,000 pounds within 1-mile of the site.
- Please provide information on other traffic or related location restrictions that are known to exist on roadways within 1-mile of the site boundary.

We would appreciate your timely review of this information and thank you in advance for your response that provides the above-requested information. We respectfully request a written response within 30 days of this letter to allow us to proceed with the landfill permitting and design process. If you have any questions or require additional information, you may contact me or Kelly Mayfield at (361) 814-9900.

Sincerely,
Naismith Engineering, Inc.

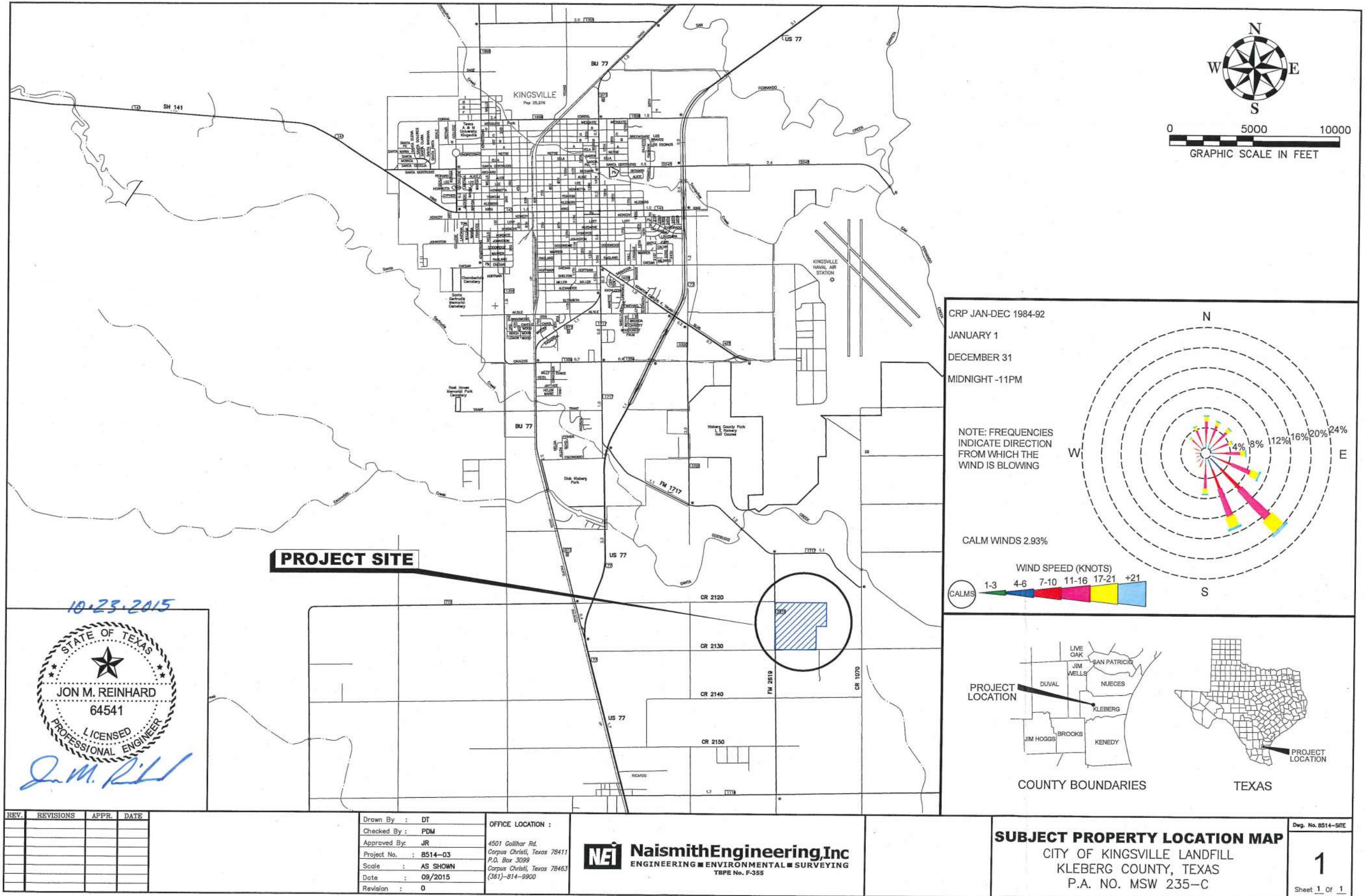


Jon M. Reinhard, P.E.
Project Engineer

Enclosures: Subject Property Location Map
General Highway Map
2013 Corpus Christi District Traffic Map

Z:\8514-City of Kingsville\8514-03\Permit Amendment\Part II\Correspondence\Transportation\TXDOT\Letter - NEI (TXDOT) 2015.docx





10-23-2015

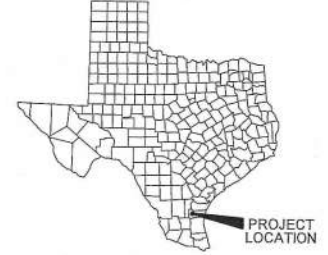
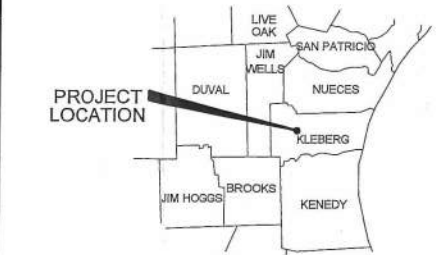
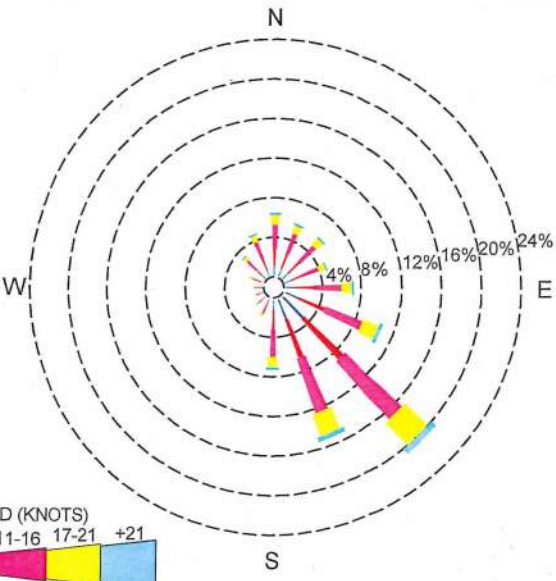
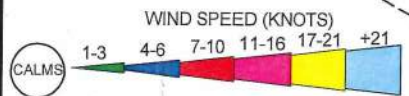


PROJECT SITE

CRP JAN-DEC 1984-92
 JANUARY 1
 DECEMBER 31
 MIDNIGHT -11PM

NOTE: FREQUENCIES INDICATE DIRECTION FROM WHICH THE WIND IS BLOWING

CALM WINDS 2.93%



SUBJECT PROPERTY LOCATION MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

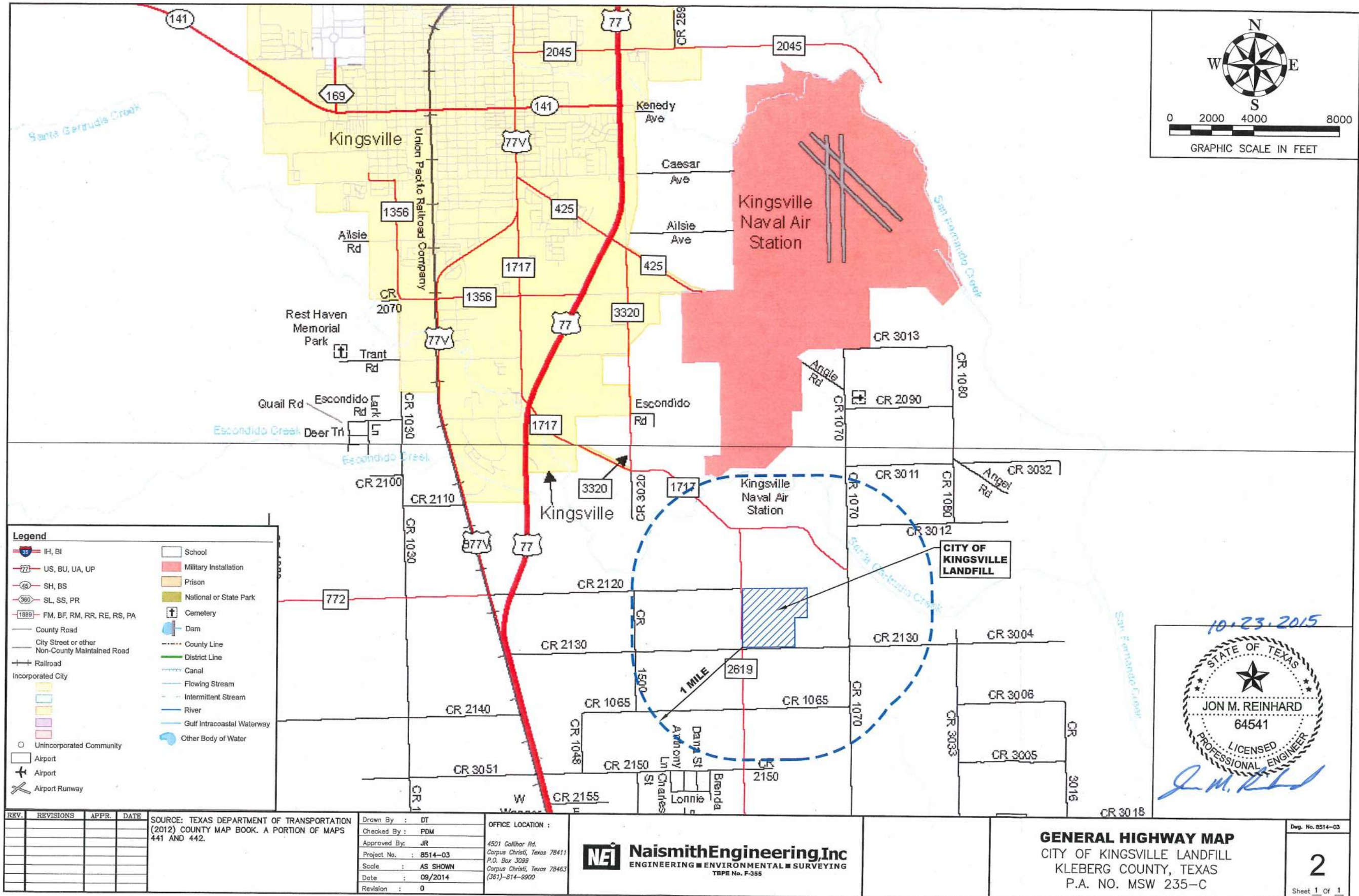
Dwg. No. 8514-SITE
1
 Sheet 1 of 1

REV.	REVISIONS	APPR.	DATE

Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gollithar Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900





REV.	REVISIONS	APPR.	DATE

SOURCE: TEXAS DEPARTMENT OF TRANSPORTATION (2012) COUNTY MAP BOOK. A PORTION OF MAPS 441 AND 442.

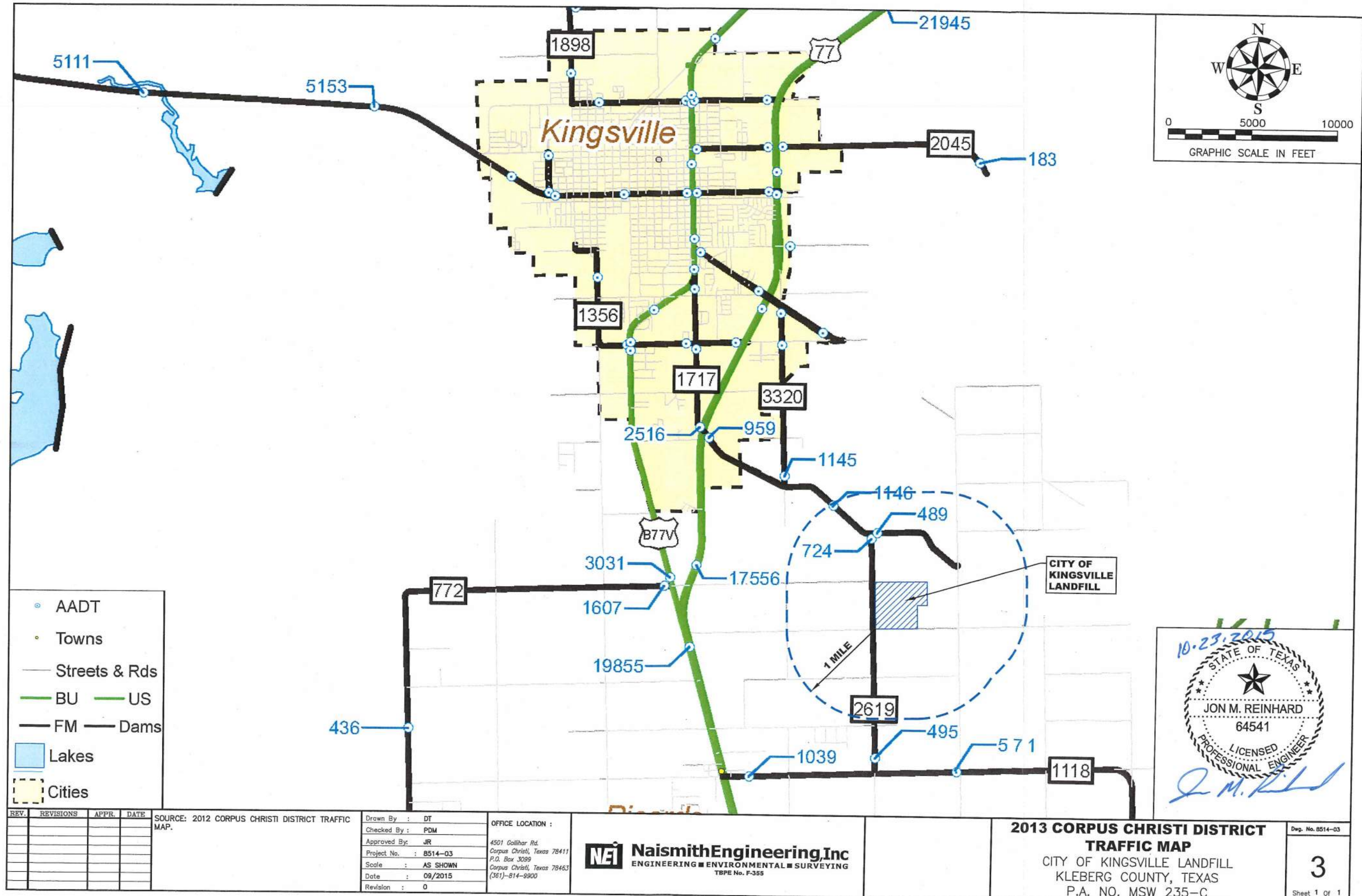
Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2014
 Revision : 0

OFFICE LOCATION :
 4501 Collier Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900

NEI NaismithEngineering Inc
 ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
 TBPE No. F-355

GENERAL HIGHWAY MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Deg. No. 8514-03
2
 Sheet 1 of 1



REV.	REVISIONS	APPR.	DATE

SOURCE: 2012 CORPUS CHRISTI DISTRICT TRAFFIC MAP.

Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gollibar Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900

NEI NaismithEngineering, Inc
 ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
 TBPE No. F-355

2013 CORPUS CHRISTI DISTRICT TRAFFIC MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dep. No. 8514-03
3
 Sheet 1 of 1

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 3-B
RESPONSE FROM
TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)



1701 SPID | CORPUS CHRISTI, TEXAS 78416 | (361) 808-2220 | WWW.TXDOT.GOV

January 11, 2016

John M. Reinhard, P.E.
Project Engineer
Naismith Engineering, Inc.
(TBPE Firm No. F-355)
4501 Gollihar Rd
Corpus Christi, TX, 78411

Dear Mr. Reinhard:

Thank you for the letter concerning the Permit Amendment for Vertical and Lateral Expansion for the City of Kingsville's Landfill. We received your letter on December 21, 2015. We were asked to address the below topics in written form. The topics are bulleted and the responses are shown in bold below:

- Major roadways. The major roadways within a 1-mile radius of the site boundary that have been selected for this study are E CR 2130, FM 2619 and FM 1717. This is because traffic navigating to and from the landfill facility primarily use these roads, as they are the most logical and convenient routes to and from the site. We would like guidance on whether TXDOT would like any other roads included in this study (refer to attached Figure 2).

We do not see a need to add additional roadways to this study.

- Traffic Growth Rate Projections. NEI conducted an analysis of TXDOT's annual average daily traffic (AADT) data as well as of projected regional population growth as published by the Texas State Data Center (TXSDC). Using TxDOT's AADT data from 2009-2013 for FM 1717 and FM 2619, an average annual growth rate of 2.6% was calculated. From TXSDC, the projected regional population growth is 42.24% from 2010-2050 or about 0.91% per year. NEI believes it is reasonable to use a combination of the above growth rates for the background (non-landfill) traffic on the surrounding roadways. Accordingly, NEI is proposing to use a 2.6% annual growth rate from 2015-2024 and a 1.0% annual growth rate from 2025-2090. We would like guidance on whether TxDOT believes this is an acceptable growth rate to use or if another traffic growth rate should be assumed for the timeframe of this study.

The growth rate appears to be acceptable.

- If data more recent than the 2013 AADT data is available, please provide information regarding traffic volume counts performed on major roadways within a 1-mile radius of the site.

OUR GOALS
MAINTAIN A SAFE SYSTEM ▪ ADDRESS CONGESTION ▪ CONNECT TEXAS COMMUNITIES ▪ BEST IN CLASS STATE AGENCY

An Equal Opportunity Employer

John M. Reinhard, P.E.

2

January 13, 2016

The 2014 traffic count maps are now online at the following website:<http://www.txdot.gov/inside-txdot/division/transportation-planning/maps.html>

- Provide information regarding any planned maintenance or construction improvements on major roadways within 1-mile of the site.

We have an upcoming widening project on FM 1717 (CSJ:1845-01-022) from FM 3320 to 1.148 MI E of FM 2619 for approximate total length of 2.33 MI within 1-mile radius of site boundary. Construction for this project should begin sometime within this month or next.

- Provide information on load-restricted roadways that have gross vehicle weight limits less than 80,000 pounds within 1-mile of the site.

Below is the Minute Order information for Load Zone Roadways, FM 1717 and FM 2619 which fall within the specified distance to the landfill, along with the restrictions themselves.

FM 1717: From JCT. BU77V to 5.14 MI South → Load Limit of 58,420 GVW (MO 46593)

FM 2619: From JCT. FM 1717 to JCT. FM 1118 → Load Limit 58,420 GVW (MO 53213)

- Provide information on other traffic or related location restrictions that are known to exist on roadways within 1-mile of the site boundary.

We are not aware of any other traffic or related location restrictions that exist within one mile of the site boundary.

Please contact Mr. Ismael C. Soto, P.E., at 361 808-2225 if you have any questions or need any additional information.

Sincerely,



Christopher D. Caron, P.E.
Corpus Christi District

Attachments

cc: Ismael C. Soto, P.E., Corpus Christi District, TxDOT

OUR GOALS
MAINTAIN A SAFE SYSTEM ▪ ADDRESS CONGESTION ▪ CONNECT TEXAS COMMUNITIES ▪ BEST IN CLASS STATE AGENCY

An Equal Opportunity Employer

Handwritten notes:
12/18/15
I need to please take back on report. Thanks. Chris



ESTABLISHED 1949
OVER 60 YEARS OF ENGINEERING EXCELLENCE

Stamp:
CORPUS CHRISTI DISTRICT
DEC 21 2015

October 23, 2015

Chris Caron, P.E.,
District Engineer
Corpus Christi District
Texas Department of Transportation
1701 S. Padre Island Drive
Corpus Christi, TX 78416

Re: **Coordination Letter and Request for Information**
Traffic Study for City of Kingsville Municipal Solid Waste Landfill,
Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion

Dear Mr. Caron:

On behalf of the City of Kingsville (City), Naismith Engineering, Inc. (NEI) is preparing a permit amendment application for a vertical and lateral expansion of the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill). The Kingsville Landfill is located southeast of the City of Kingsville, Kleberg County, Texas. The entrance to the landfill is located at 348 East County Road 2130. Other roads used to access the site include Farm to Market Road (FM) 1717 and Farm to Market Road (FM) 2619. The enclosed maps show the access routes and location of the landfill.

This letter is being submitted to document coordination with the Texas Department of Transportation (TXDOT) (consistent with the requirements of Texas Commission on Environmental Quality (TCEQ) municipal solid waste (MSW) Rule 30 TAC §330.61(i)(4)). We are requesting a written response from TXDOT to provide specific requested data (identified below). We are also requesting information regarding any traffic or related location restrictions, and any proposed roadway improvements being planned in the vicinity of the site.

BACKGROUND INFORMATION

• The landfill is an existing facility, currently in operation. The location is shown on attached Figure 1. The landfill entrance/exit is located on East County Road (E CR) 2130. No changes to the existing landfill entrance/exit are planned at this time.

• On a typical day the existing facility generates approximately 65 vehicle trips per day -ing and exiting the landfill via the driveway on E CR 2130. These vehicle counts are

TABLE Firm 13553 ■ TPE Firm 355 ■ TRPG Firm 50017 ■ TRPALS Firm 100395-00
cadd. Corpus Christi, TX 78411 ■ 800-677-2831 361-814-9900 Fax. 361-814-4401 ■ naismith-engineering.com

Mr. Chris Caron, P.E.
Texas Department of Transportation
October 23, 2015
Page 2 of 3

based on the facility's scale records, waste receipts, and the typical number of employees and visitors accessing the site on a given day.

- To clarify terminology, please note that the term "expansion" refers to a waste disposal capacity increase of the landfill. Thus, it will allow an extension in site life of the landfill. In terms of expected traffic, the expansion is not expected to trigger any new sources of traffic or sideloop increase in traffic -- rather, gradual steady growth of existing landfill traffic over time is anticipated.
- Based on existing landfill customer traffic patterns, the main area roads used by waste hauling vehicles coming to and from the landfill are E CR 2130, FM 1717 and FM 2619, shown on the enclosed maps.
- The current site life of the landfill is approximately 46 years. At this time, we estimate that the post-expansion remaining site life of the landfill to be about 100+ years.

REQUESTED INFORMATION

The TCEQ MSW Rules establish the scope of the traffic study. Per the TCEQ Rules, we are conducting a project-specific transportation (i.e., traffic) study on relevant roadways within 1-mile of the site. Below are specific topics we are requesting TXDOT to address in written form.

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Mr. Chris Caron, P.E.
Texas Department of Transportation
October 23, 2015
Page 3 of 3

- If data more recent than the 2013 AADT data is available, please provide information regarding traffic volume counts performed on major roadways within a 1-mile radius of the site.
- Please provide information regarding any planned maintenance or construction improvements on major roadways within 1-mile of the site.
- Please provide information on load-restricted roadways that have gross vehicle weight limits less than 80,000 pounds within 1-mile of the site.
- Please provide information on other traffic or related location restrictions that are known to exist on roadways within 1-mile of the site boundary.

We would appreciate your timely review of this information and thank you in advance for your response that provides the above-requested information. We respectfully request a written response within 30 days of this letter to allow us to proceed with the landfill permitting and design process. If you have any questions or require additional information, you may contact me or Kelly Mayfield at (361) 814-9900.

Sincerely,
Naismith Engineering, Inc.



Jon M. Reinhard, P.E.
Project Engineer

Enclosures: Subject Property Location Map
General Highway Map
2013 Corpus Christi District Traffic Map

Z:\0514-City of Kingsville\0514-030\Permit Amendment\0514-030\CorpusChristi\Transportation\TXDOT\Letter - NEI (TXDOT) 2015.docx



CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 4
FEDERAL AVIATION ADMINISTRATION (FAA)
CORRESPONDENCE

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 4-A
SUBMITTAL TO
FEDERAL AVIATION ADMINISTRATION (FAA)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

October 23, 2015

Mr. William Mitchell
Federal Aviation Administration (FAA)
Southwest Region, Airports Division
2601 Meacham Boulevard
Fort Worth, Texas 76137

**RE: Compliance with Airport Location Restriction
Permit Amendment for Vertical and Lateral Expansion
Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas**

Dear Mr. Mitchell:

On behalf of the City of Kingsville, Naismith Engineering, Inc. is preparing a permit amendment application for a vertical and lateral expansion of the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill). The purpose of this letter is to provide the Texas Commission on Environmental Quality (TCEQ) documentation of compliance with 30 TAC §330.545 that requires we evaluate the landfill for compliance with airport safety location restrictions, and 30 TAC §330.61(i)(5) that requires we document coordination with FAA for compliance with airport location restrictions. Accordingly, we are providing this notification and are requesting a written response from FAA.

The Kingsville Landfill is located southeast of the City of Kingsville, at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130. The current permit boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 acres to the east, currently used as a soil borrow pit and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet-msl to 200 feet-msl. Enclosed, please find maps showing the location of the site, as well as proposed permit boundaries.

The closest airport that we have identified is the Naval Air Station Kingsville (NAS – Kingsville) located northeast of the landfill. The north landfill boundary line is approximately 2.70 miles (14,254 feet) to the end of the nearest runway and falls within the 6 miles jurisdictional limit of the regulatory airport restrictions. FAA's Southwestern Regional Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) group has conducted an aeronautical study of the landfill and issued a Determination of No Hazard (DNH's) for nine (9)

Mr. William Mitchell
Federal Aviation Administration
October 23, 2015
Page 2 of 2

representative points of the proposed landfill expansion. Copies of the FAA Determinations are attached to this letter, and Figure 2 shows the location of the nine (9) points.

The landfill has many years of successfully co-existing with NAS – Kingsville. Notification of the proposed vertical and lateral expansion was provided to NAS – Kingsville and a written response requested. NAS – Kingsville conducted a review and provided a written response dated January 7, 2015 stating that they approved of the vertical and lateral expansion. A copy of the January 7, 2015 NAS – Kingsville letter is attached.

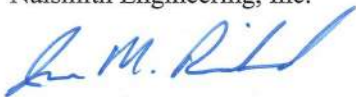
Please note that we will continue to maintain the working face of the landfill (where trash is exposed during operating hours) to as small of an area as practical to minimize the potential of the site to attract birds, and continue to enforce bird control measures to minimize the bird population on-site.

No new public airports within the regulation boundary limits have been identified. We are requesting that your office send us a letter documenting our coordination with the FAA and certifying that the site is still in compliance with both TCEQ and FAA location restrictions.

Given the information presented herein, the proposed landfill expansion would not appear to have the potential to cause adverse wildlife attractants or a significant bird hazard to aircraft, or otherwise be incompatible with air navigation. Please indicate in writing whether you concur with the findings within 45 days of this letter, so that the planning and permitting activities may continue in a timely manner.

We appreciate your assistance in helping us fulfil this TCEQ requirement. If you have any questions or require additional information, please contact me or Kelly Mayfield at (361) 814-9900.

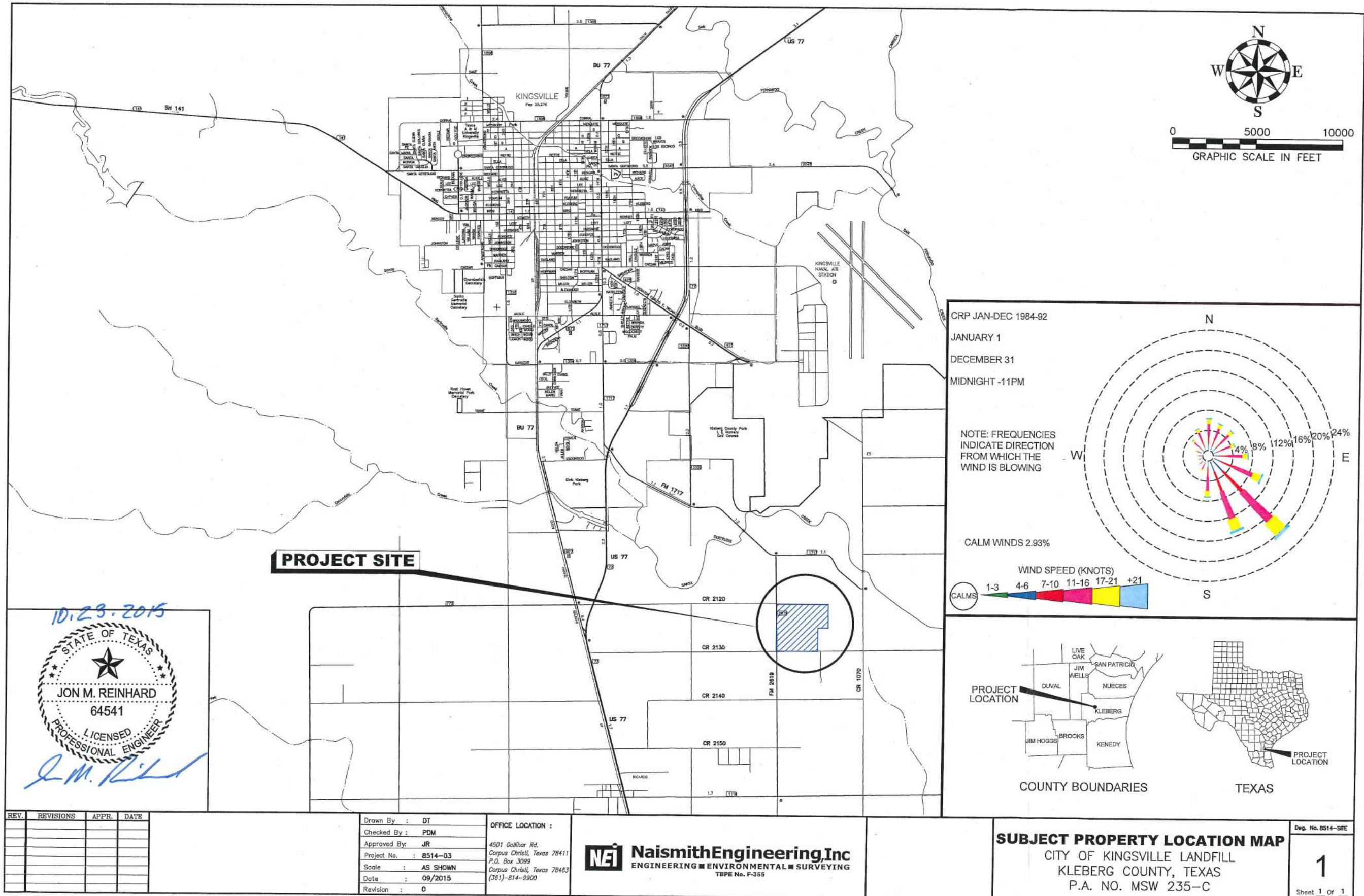
Sincerely,
Naismith Engineering, Inc.



Jon M. Reinhard, P.E.
Project Engineer

Enclosures: Subject Property Location Map
Location of Nearest Airport Map
FAA OE/AAA Aeronautical Study Determinations
January 7, 2015 NAS – Kingsville Letter





10.23.2015
 STATE OF TEXAS
 JON M. REINHARD
 64541
 LICENSED PROFESSIONAL ENGINEER
J.M. Reinhard

REV.	REVISIONS	APPR.	DATE

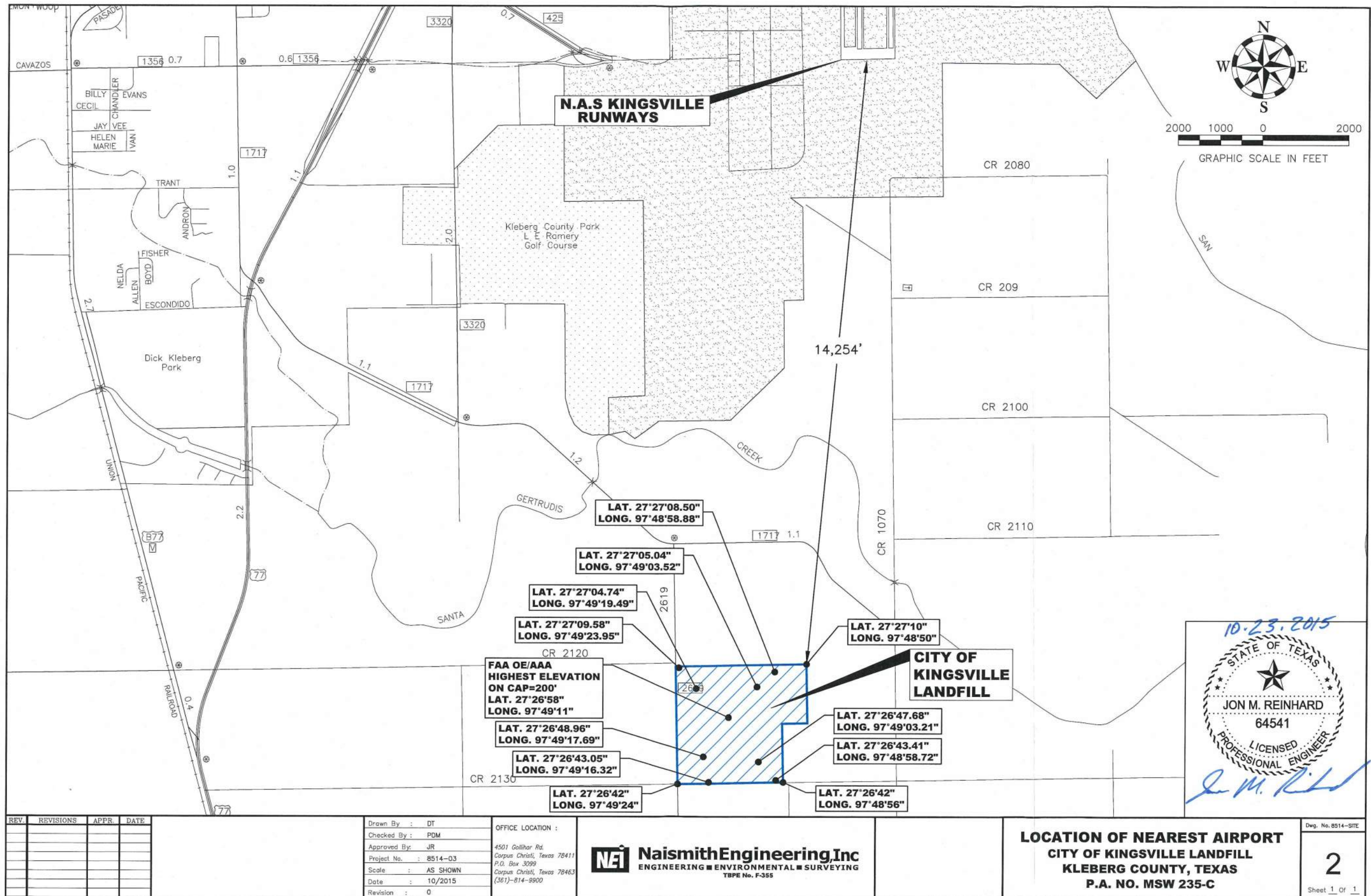
Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gollithar Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900

NEI NaismithEngineering, Inc
 ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
 TBPE No. F-355

SUBJECT PROPERTY LOCATION MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dwg. No. 8514-SITE
1
 Sheet 1 of 1



REV.	REVISIONS	APPR.	DATE

Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 10/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gollithor Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900



Dwg. No. 8514-SITE
2
 Sheet 1 of 1



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6920-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Landfill City of Kingsville Landfill #1 Center/Top
Location:	City of Kingsville, TX
Latitude:	27-26-58.00N NAD 83
Longitude:	97-49-11.00W
Heights:	59 feet site elevation (SE) 141 feet above ground level (AGL) 200 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 04/06/2017 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6920-OE.

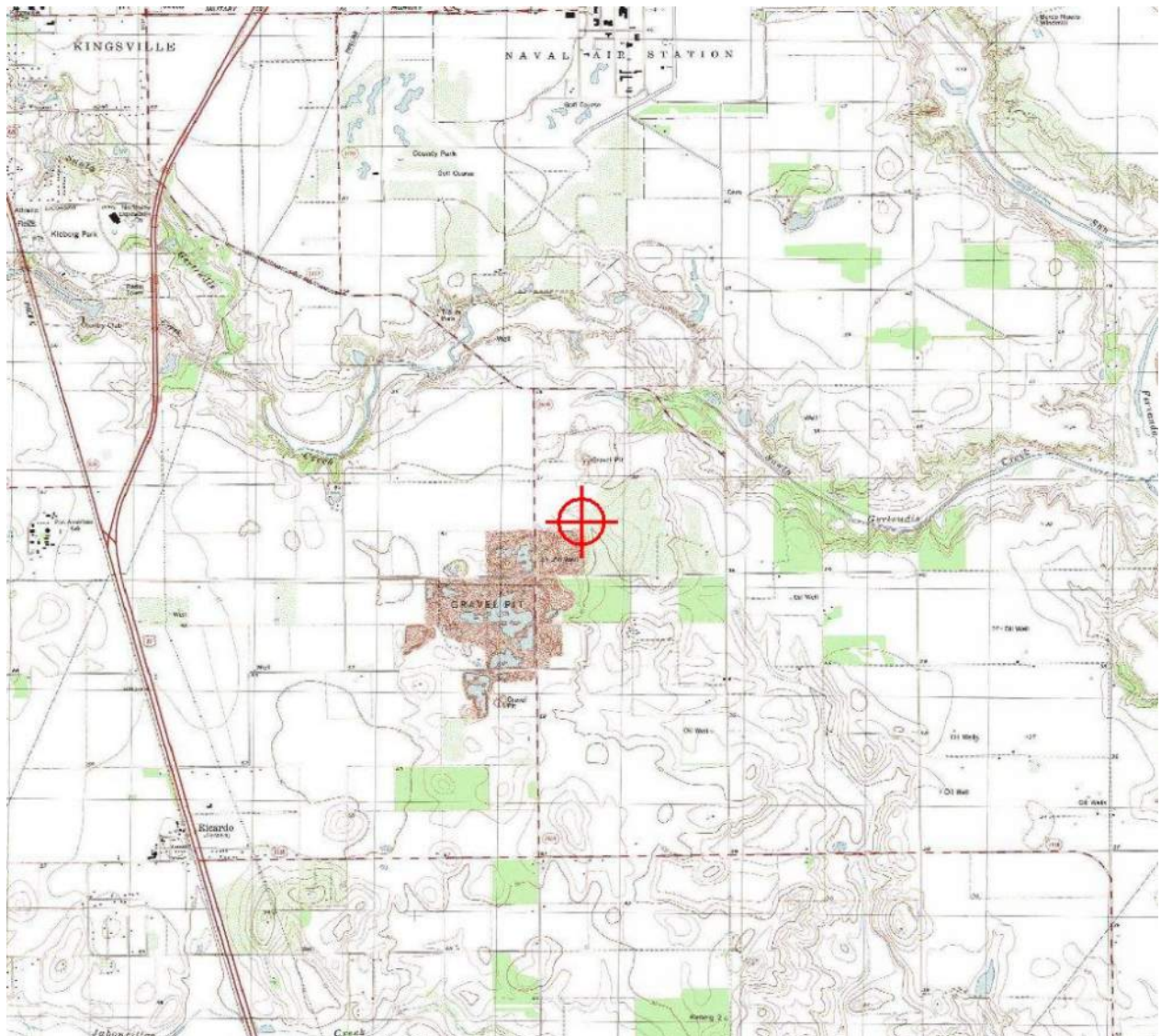
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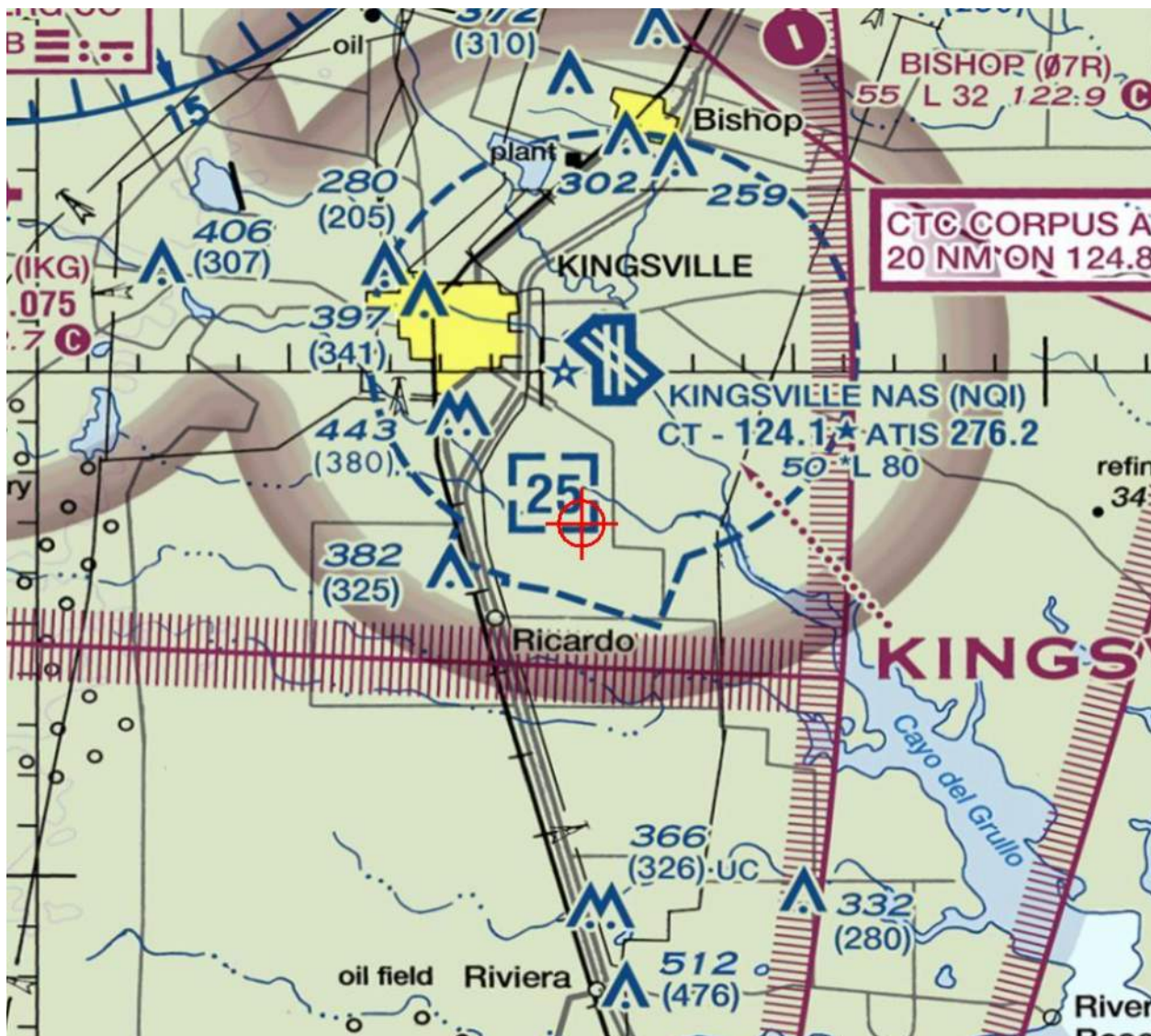
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6920-OE



Sectional Map for ASN 2015-ASW-6920-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6921-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Landfill City of Kingsville Landfill #2 NW Corner
Location: City of Kingsville, TX
Latitude: 27-27-09.58N NAD 83
Longitude: 97-49-23.95W
Heights: 59 feet site elevation (SE)
2 feet above ground level (AGL)
61 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

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Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6921-OE.

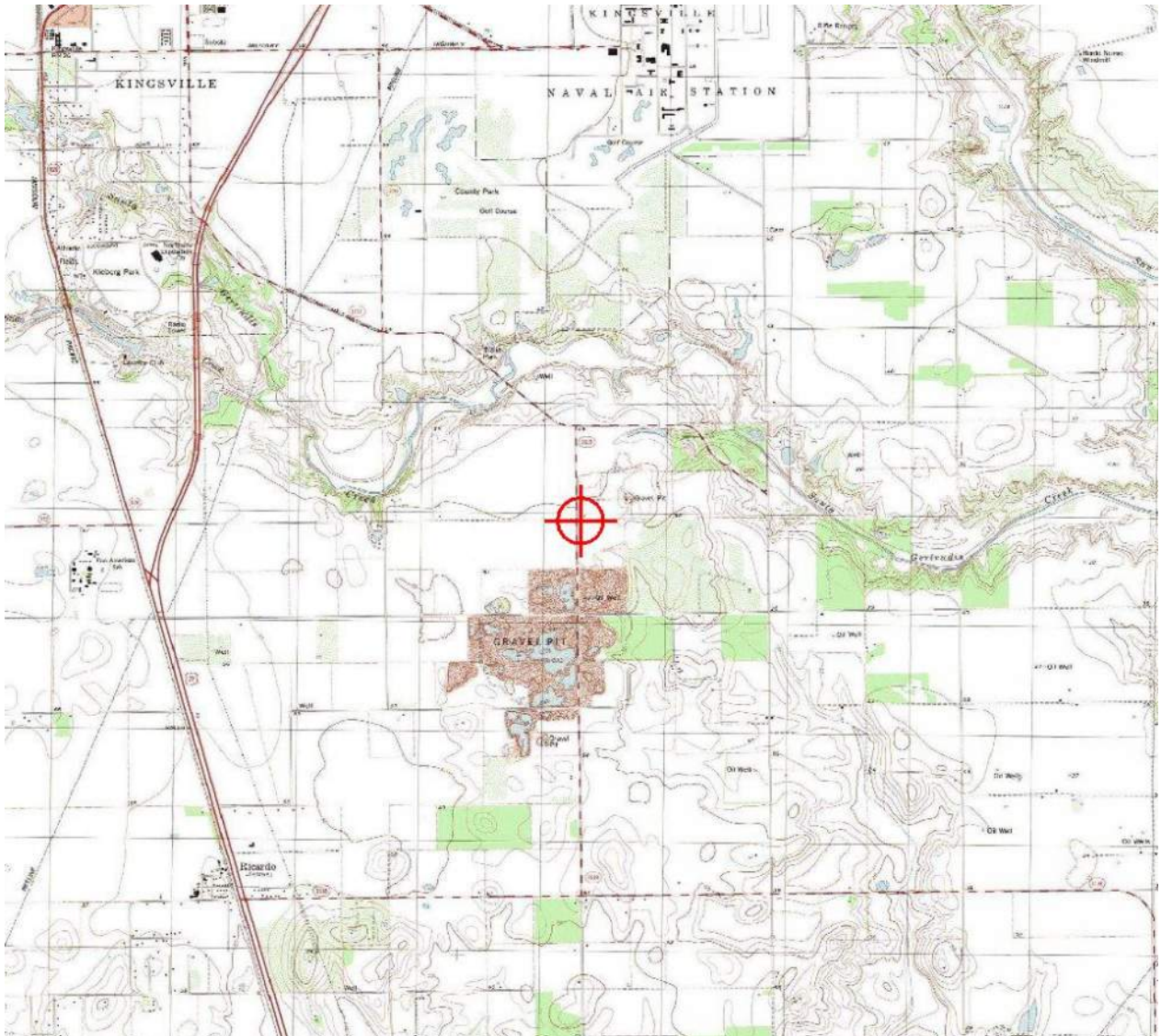
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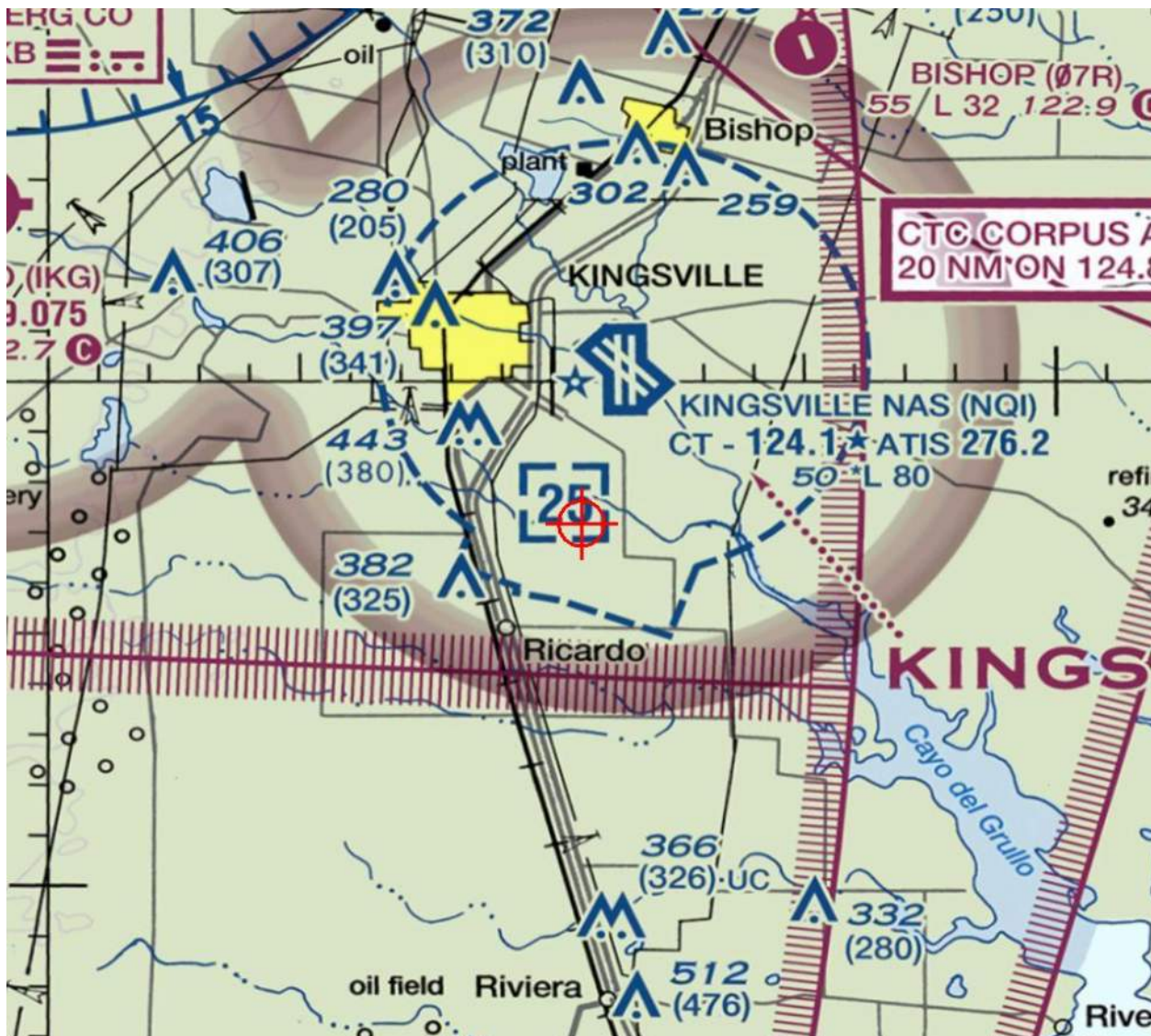
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6921-OE



Sectional Map for ASN 2015-ASW-6921-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6922-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Landfill City of Kingsville Landfill #3 NE Corner
Location: City of Kingsville, TX
Latitude: 27-27-08.50N NAD 83
Longitude: 97-48-58.88W
Heights: 59 feet site elevation (SE)
2 feet above ground level (AGL)
61 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

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If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6922-OE.

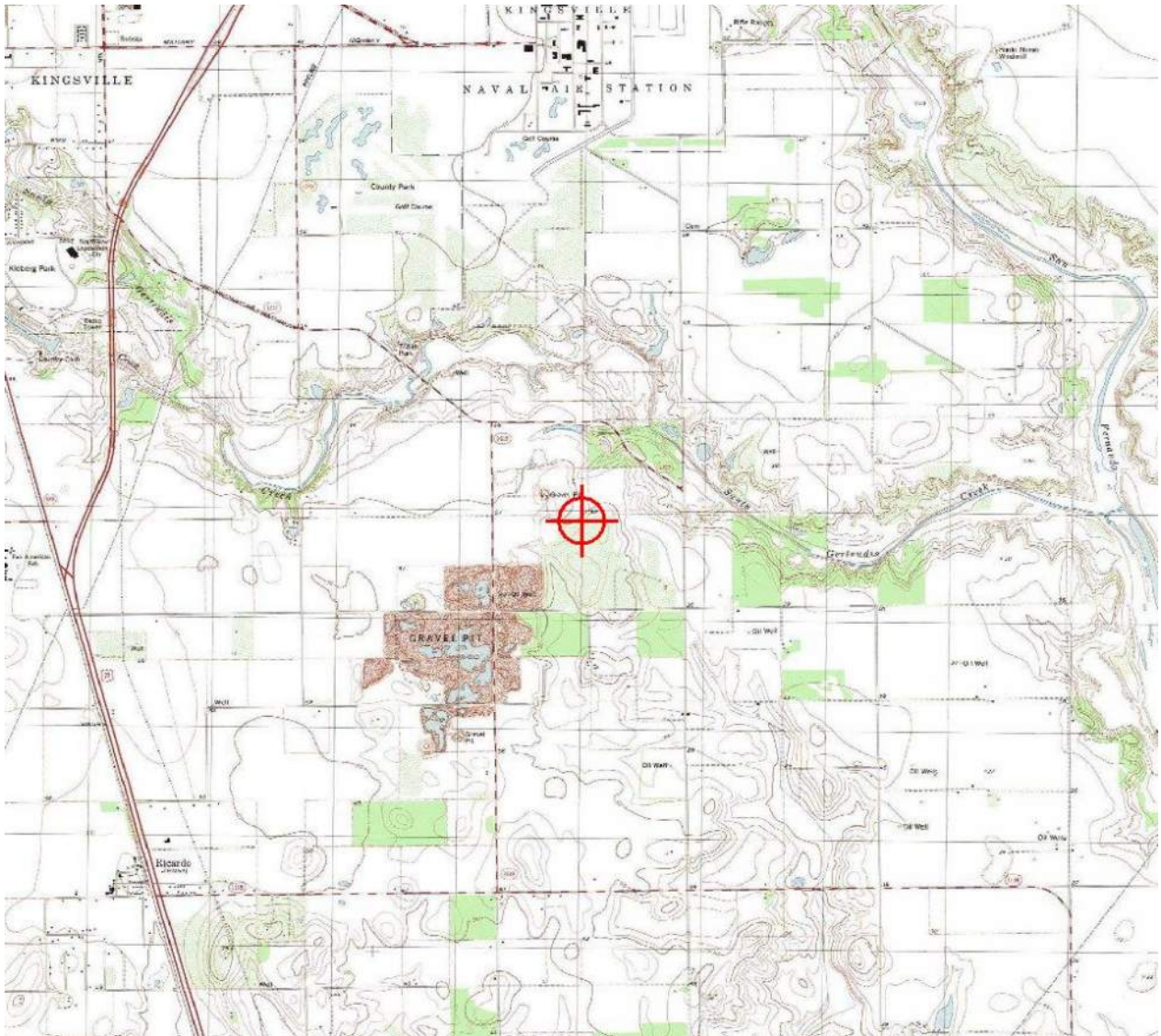
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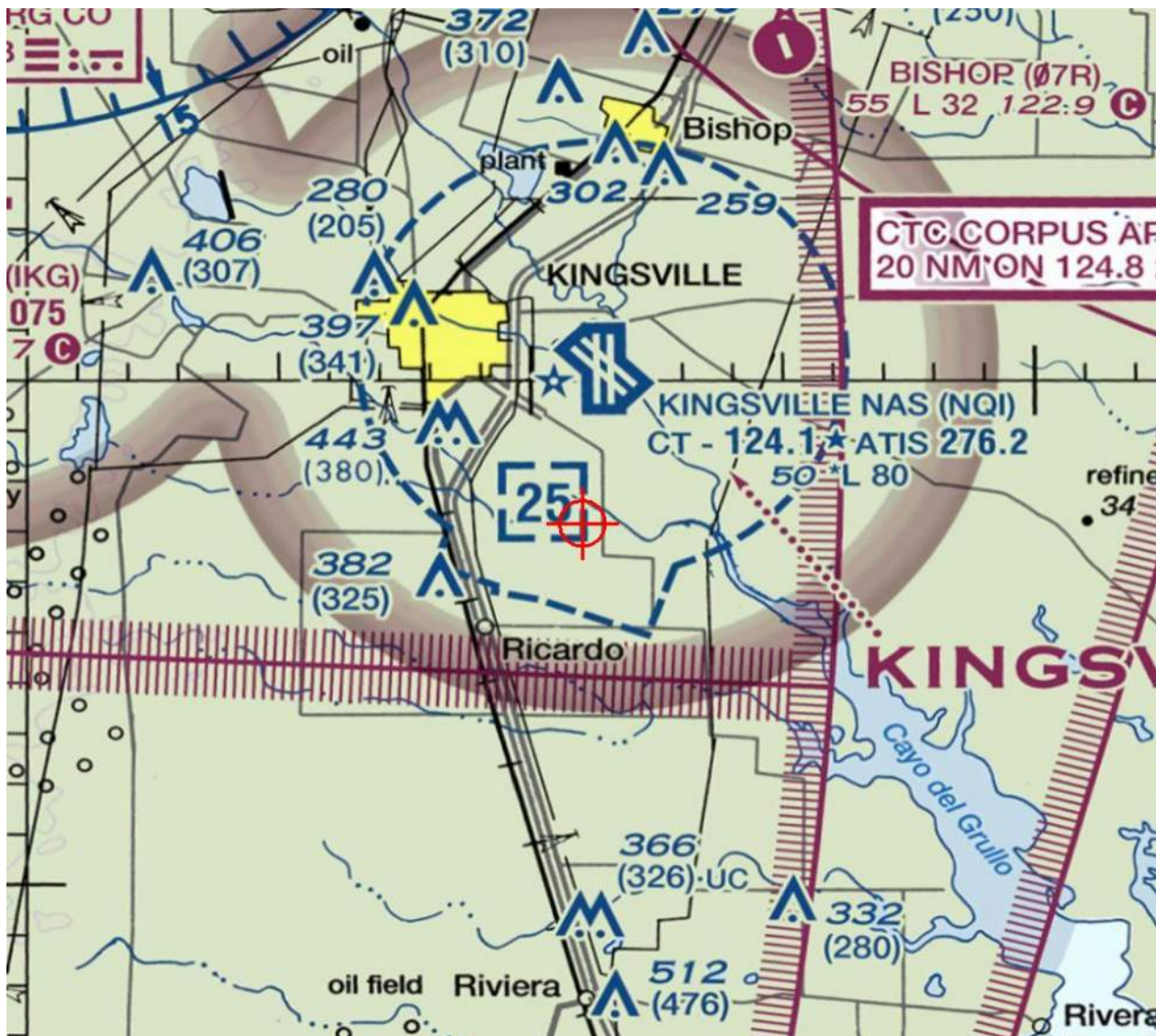
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6922-OE



Sectional Map for ASN 2015-ASW-6922-OE





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Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6923-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Landfill City of Kingsville Landfill #4 SE Corner
Location: City of Kingsville, TX
Latitude: 27-26-43.41N NAD 83
Longitude: 97-48-58.72W
Heights: 59 feet site elevation (SE)
2 feet above ground level (AGL)
61 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6923-OE.

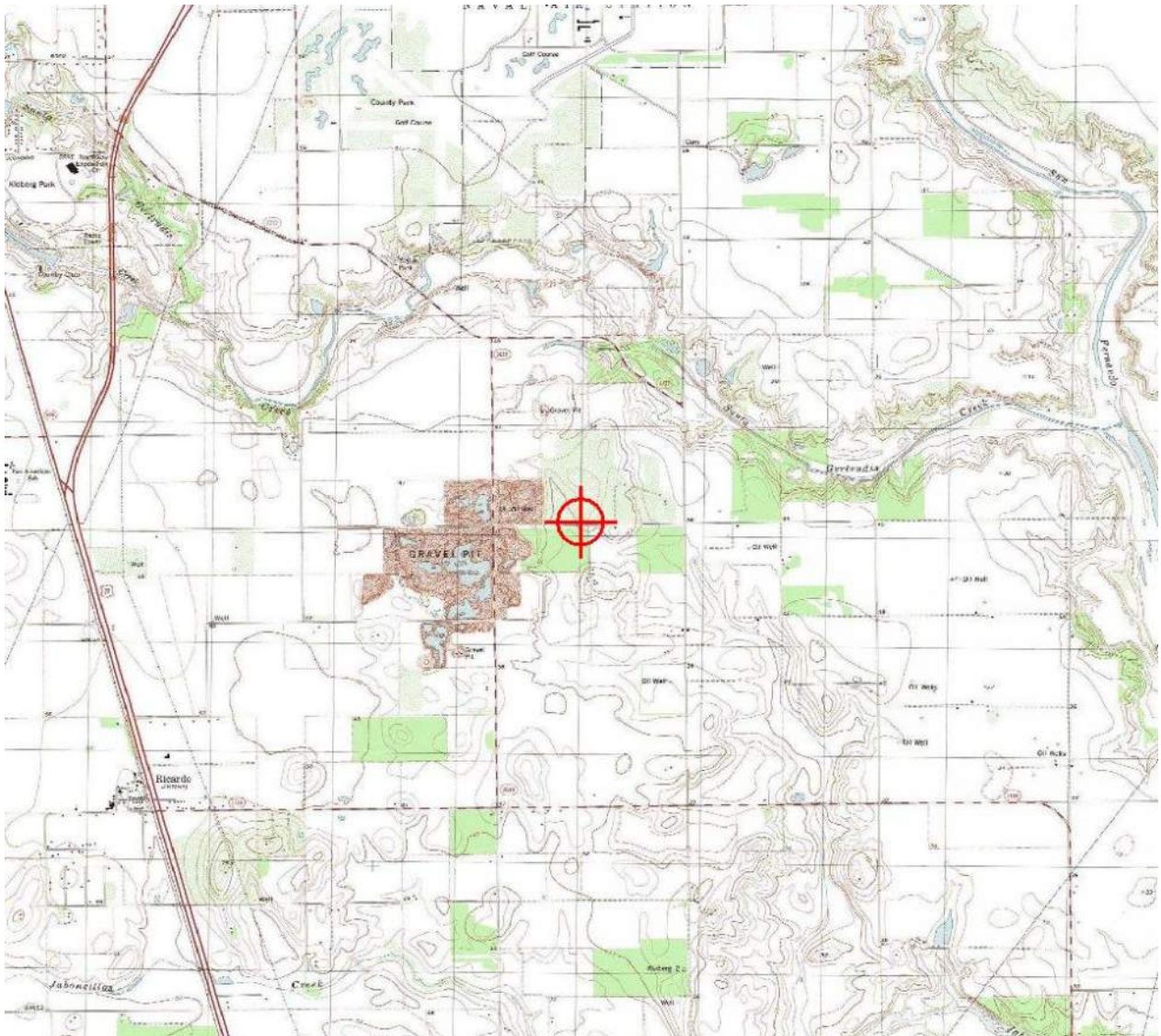
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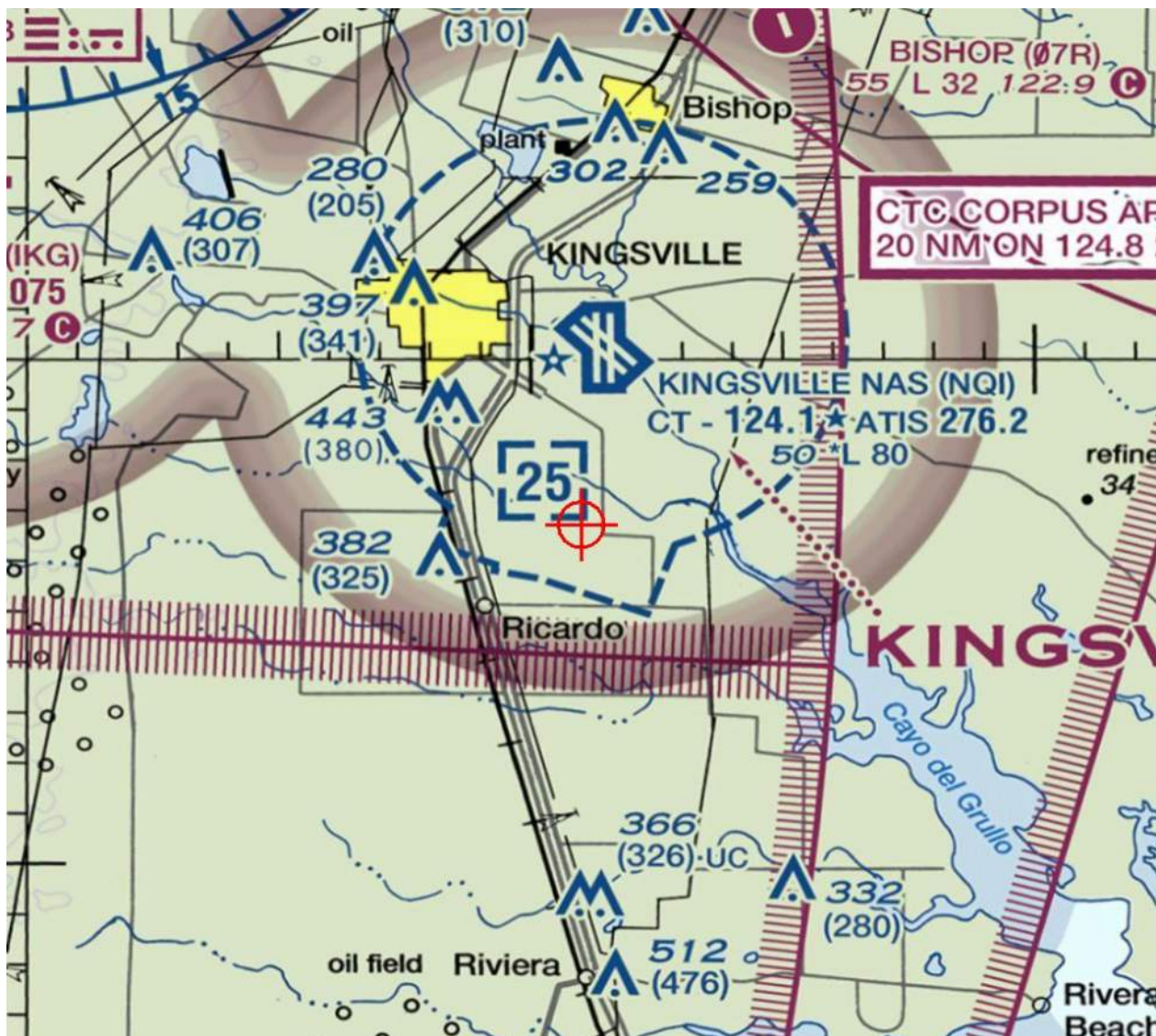
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6923-OE



Sectional Map for ASN 2015-ASW-6923-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6924-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Landfill City of Kingsville Landfill #5 SW Corner
Location:	City of Kingsville, TX
Latitude:	27-26-43.05N NAD 83
Longitude:	97-49-16.32W
Heights:	59 feet site elevation (SE) 2 feet above ground level (AGL) 61 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6924-OE.

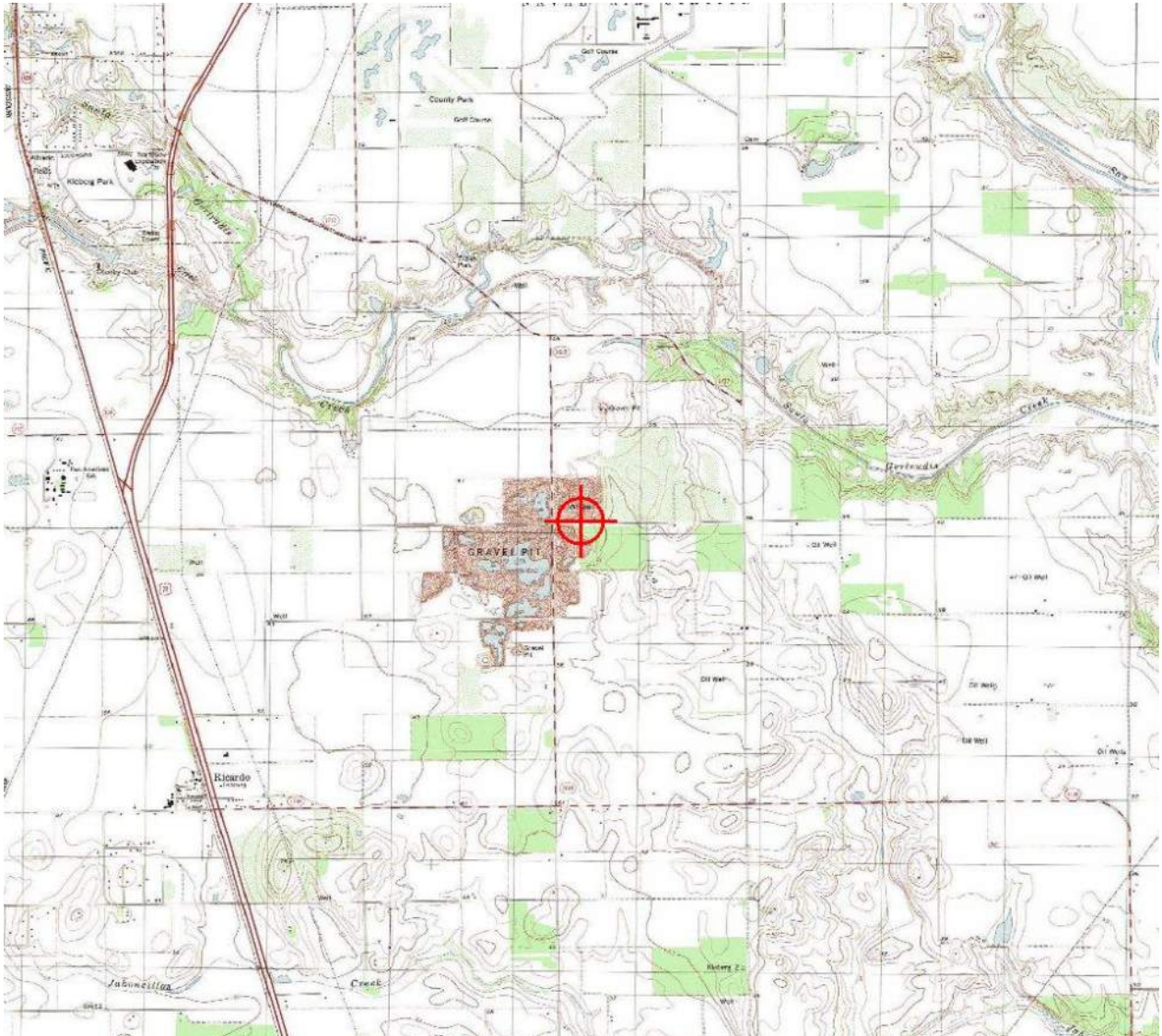
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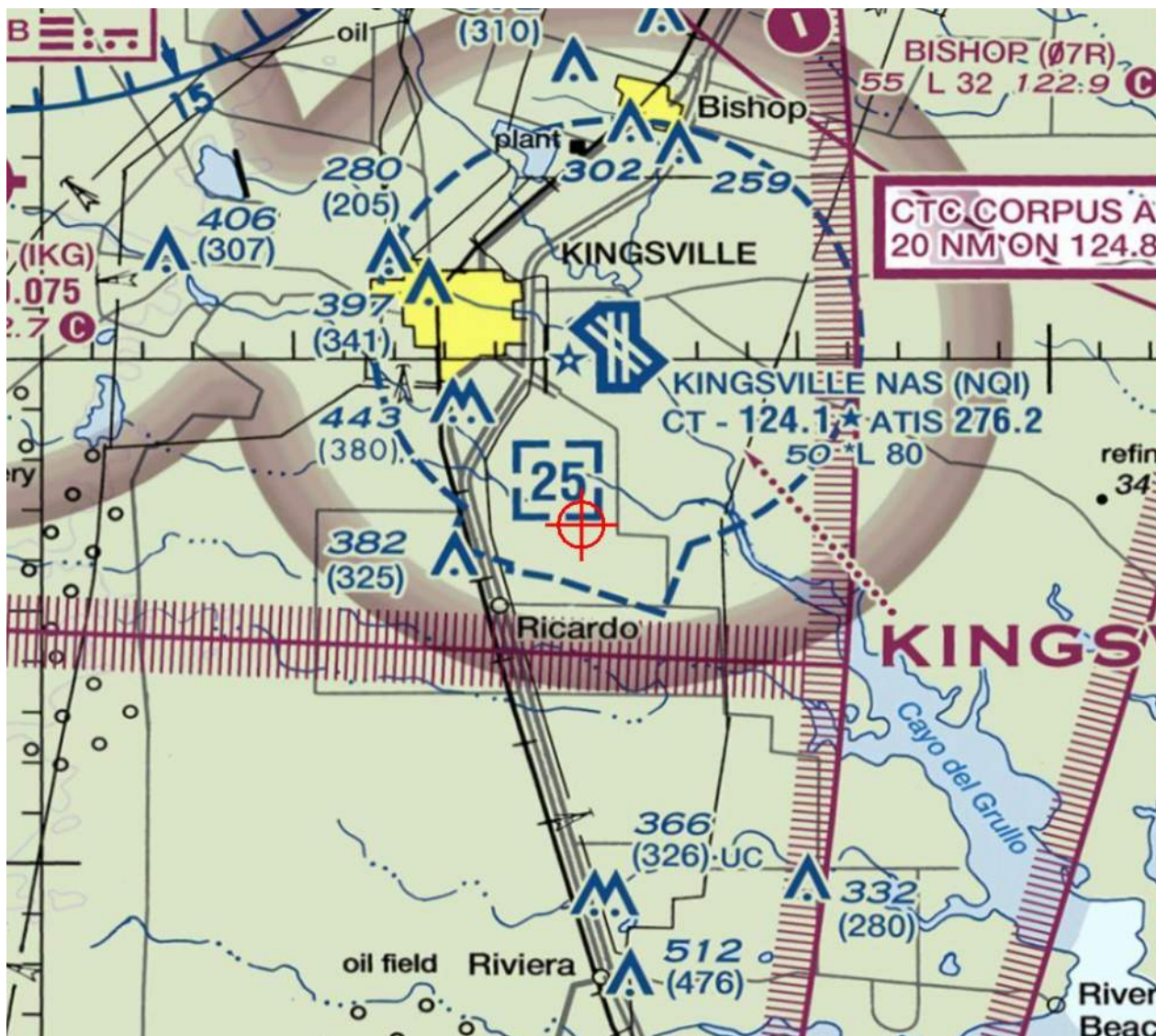
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6924-OE



Sectional Map for ASN 2015-ASW-6924-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6925-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Landfill City of Kingsville Landfill #6NW Top of Slope
Location:	City of Kingsville, TX
Latitude:	27-27-04.74N NAD 83
Longitude:	97-49-19.49W
Heights:	59 feet site elevation (SE) 111 feet above ground level (AGL) 170 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 04/06/2017 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6925-OE.

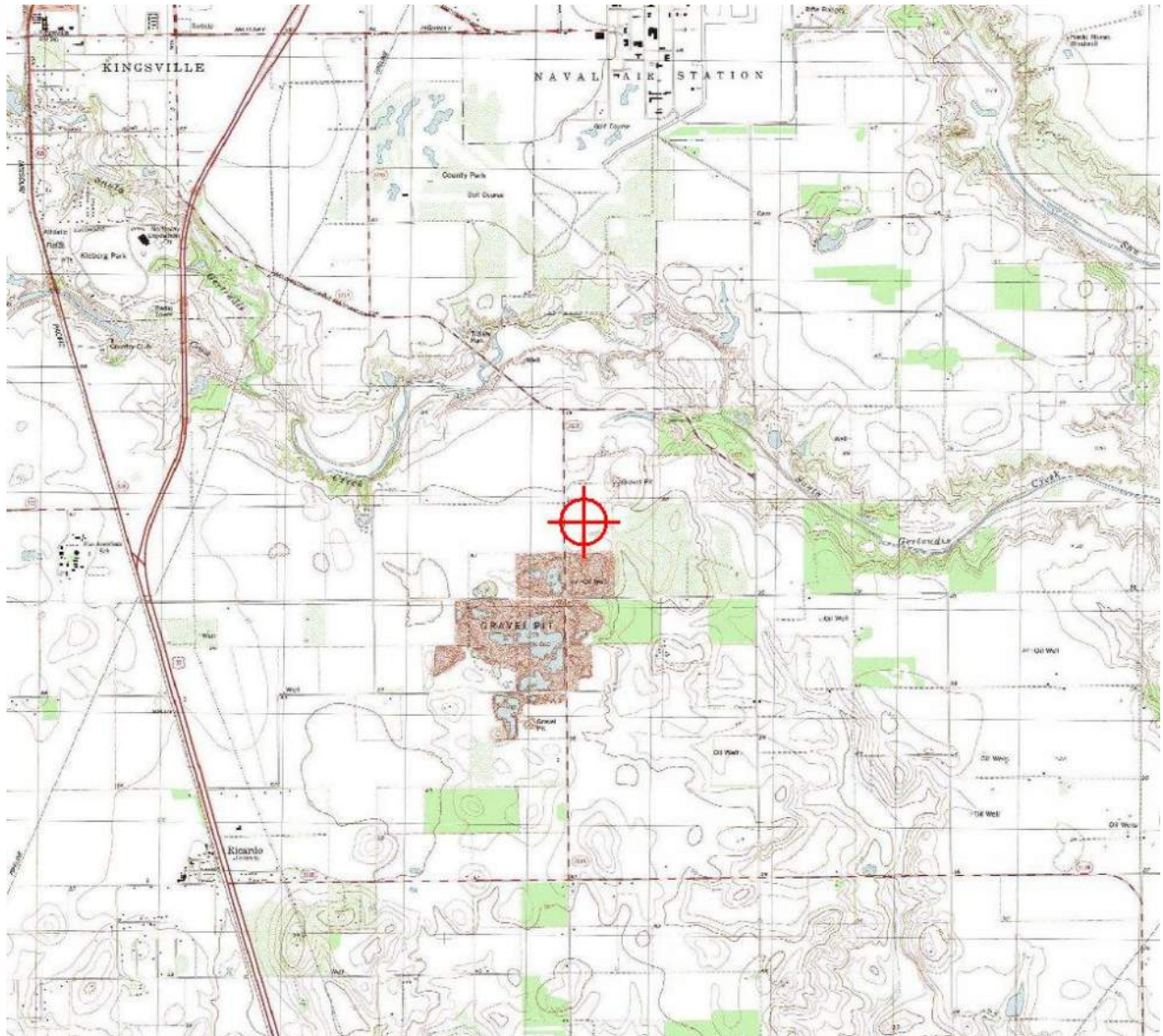
Signature Control No: 264434113-267799560

(DNE)

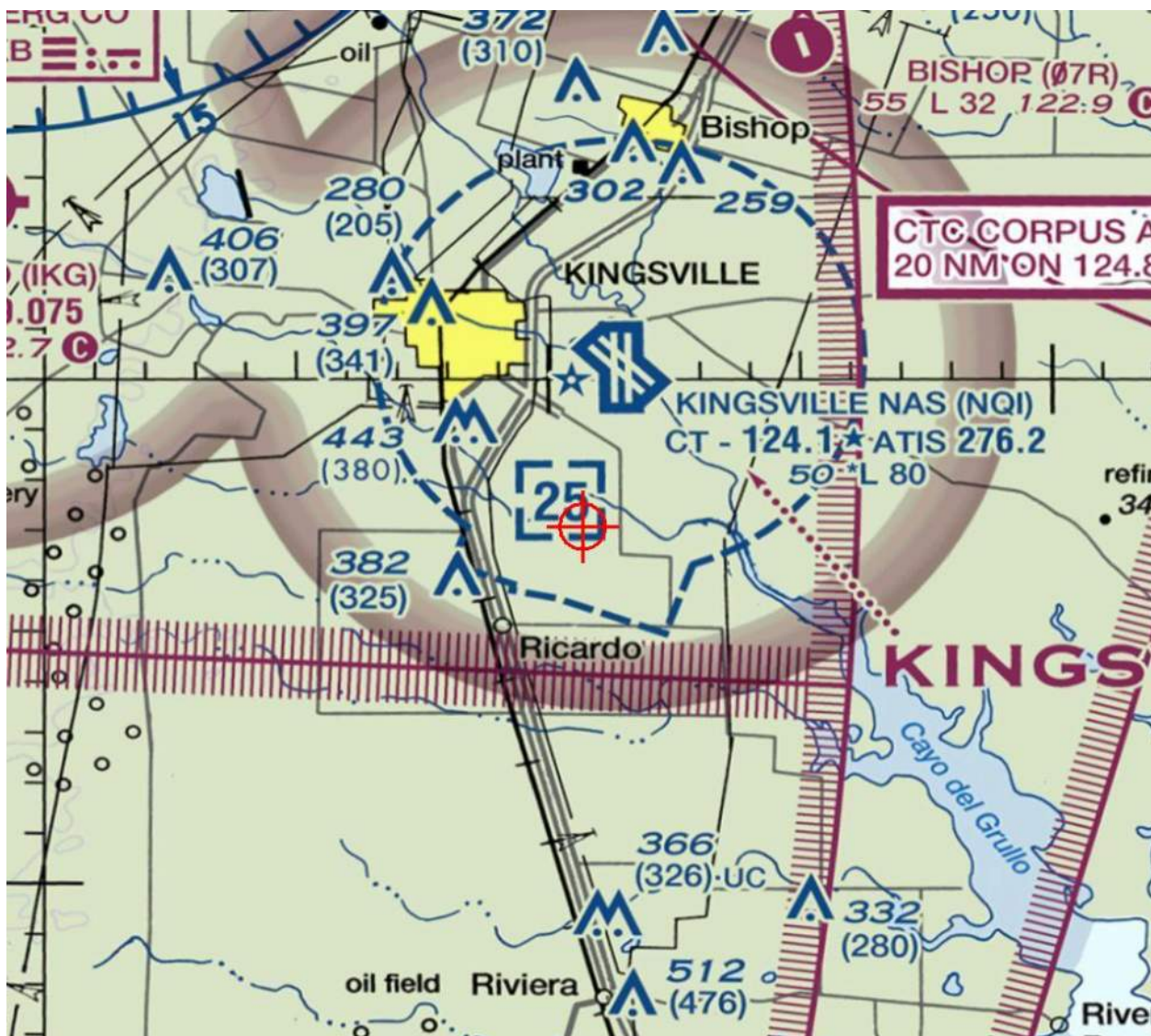
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6925-OE



Sectional Map for ASN 2015-ASW-6925-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6926-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Landfill City of Kingsville Landfill #7NE Top of Slope
Location: City of Kingsville, TX
Latitude: 27-27-05.04N NAD 83
Longitude: 97-49-03.52W
Heights: 59 feet site elevation (SE)
111 feet above ground level (AGL)
170 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 04/06/2017 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
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If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6926-OE.

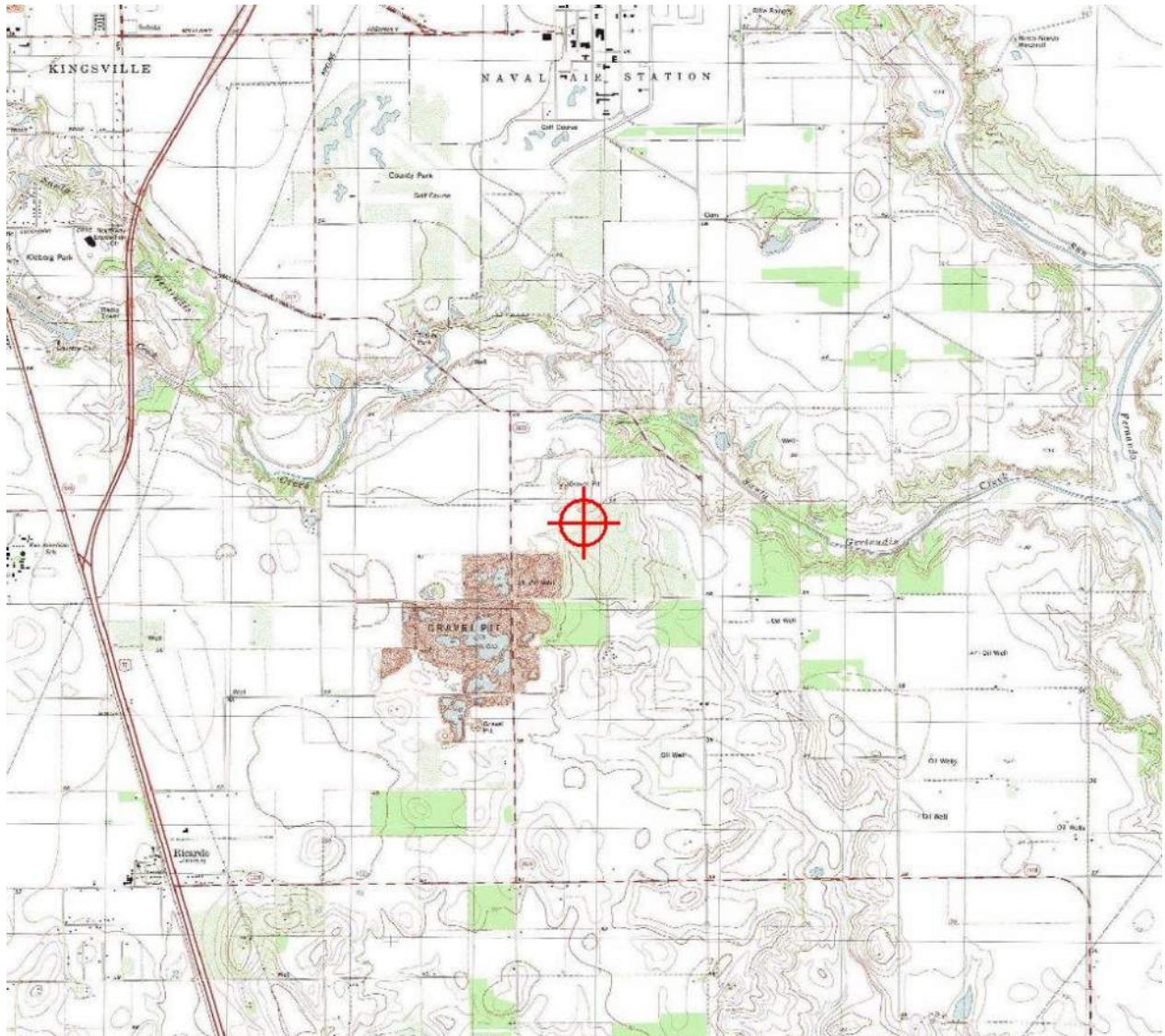
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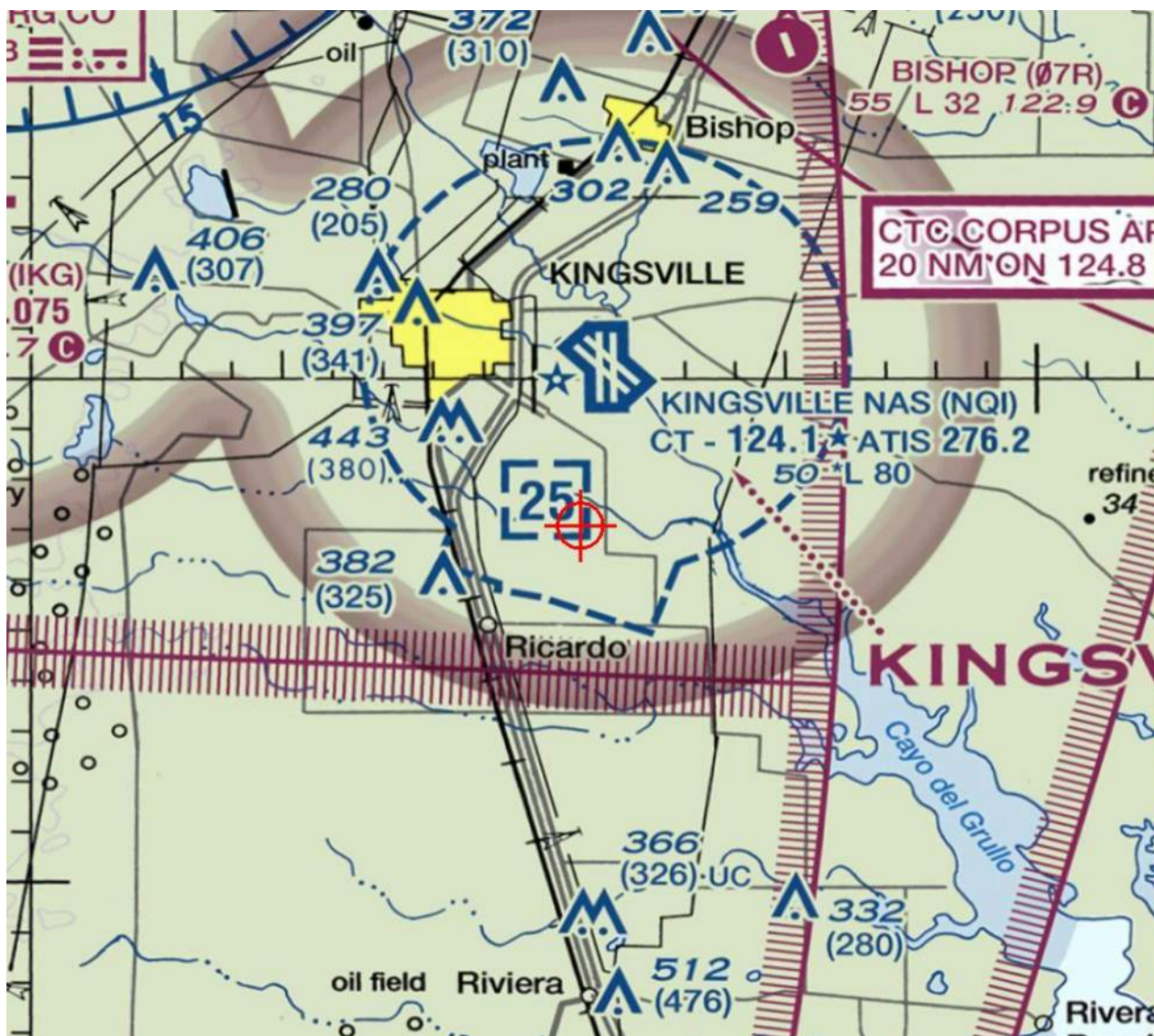
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6926-OE



Sectional Map for ASN 2015-ASW-6926-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6927-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Landfill City of Kingsville Landfill #8SE Top of Slope
Location:	City of Kingsville, TX
Latitude:	27-26-47.68N NAD 83
Longitude:	97-49-03.21W
Heights:	59 feet site elevation (SE) 116 feet above ground level (AGL) 175 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

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If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6927-OE.

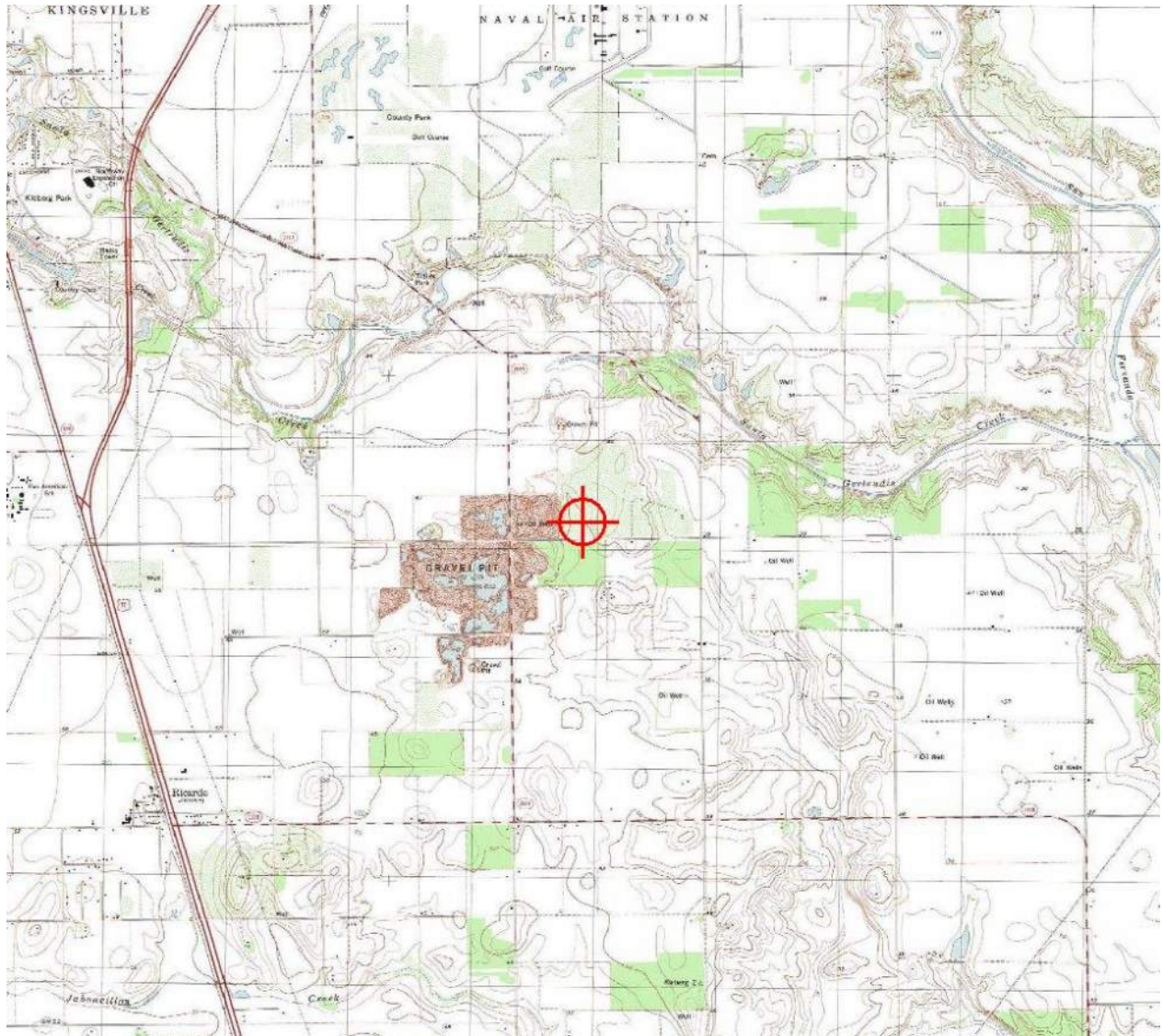
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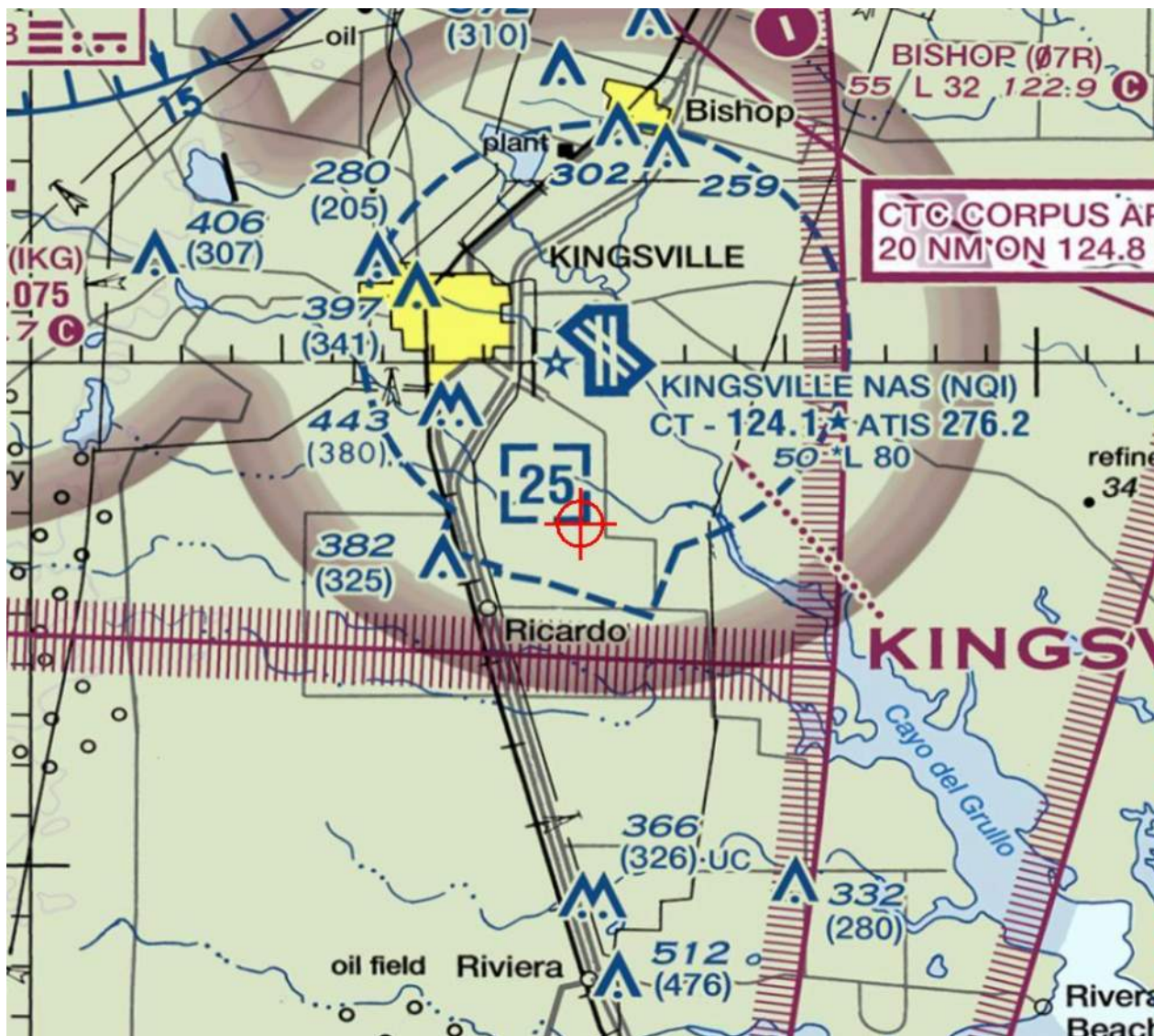
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6927-OE



Sectional Map for ASN 2015-ASW-6927-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASW-6928-OE

Issued Date: 10/06/2015

Kelly Mayfield
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78387

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Landfill City of Kingsville Landfill #9SW Top of Slope
Location: City of Kingsville, TX
Latitude: 27-26-48.96N NAD 83
Longitude: 97-49-17.69W
Heights: 59 feet site elevation (SE)
111 feet above ground level (AGL)
170 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

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Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (817) 222-5933. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-6928-OE.

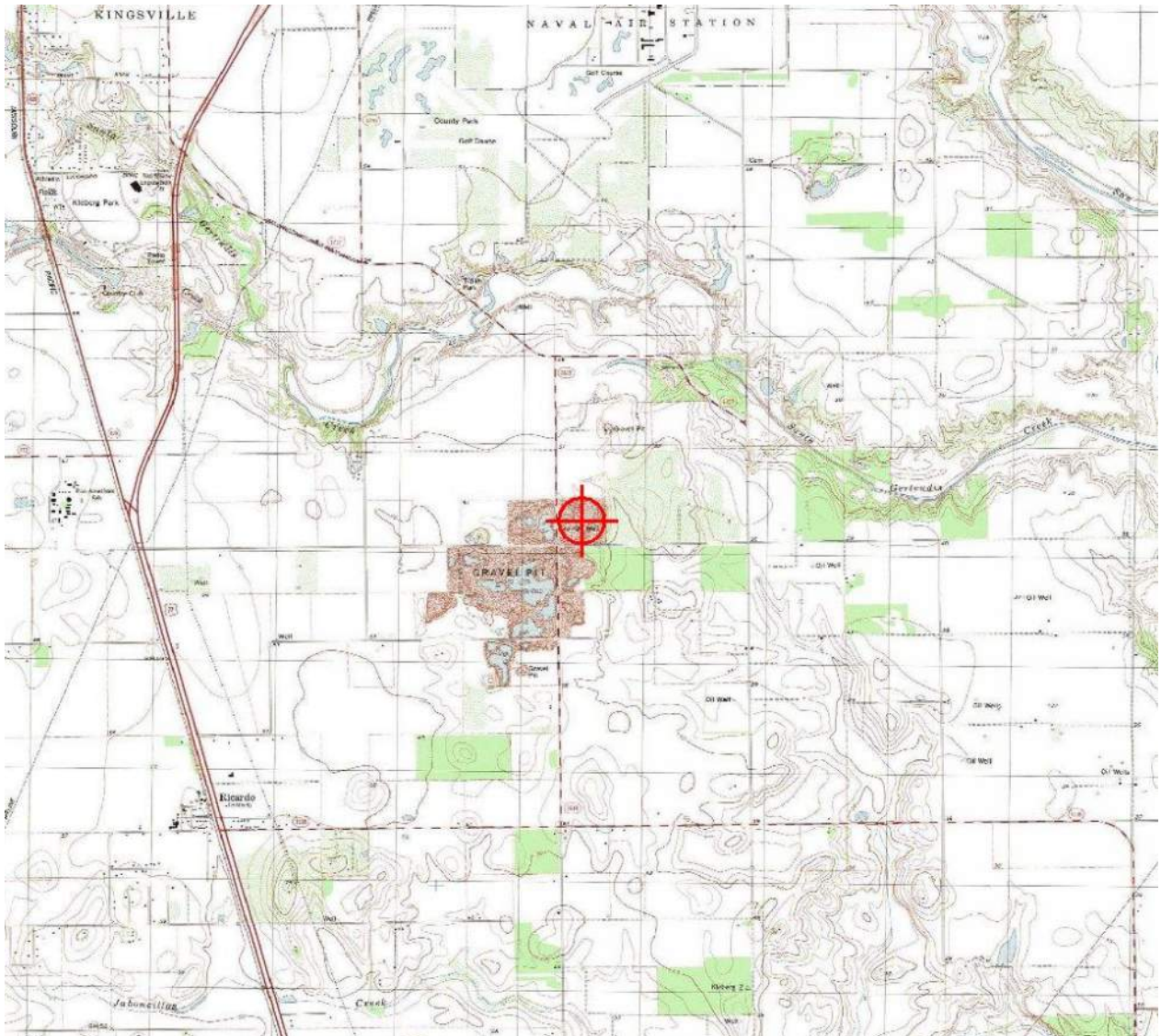
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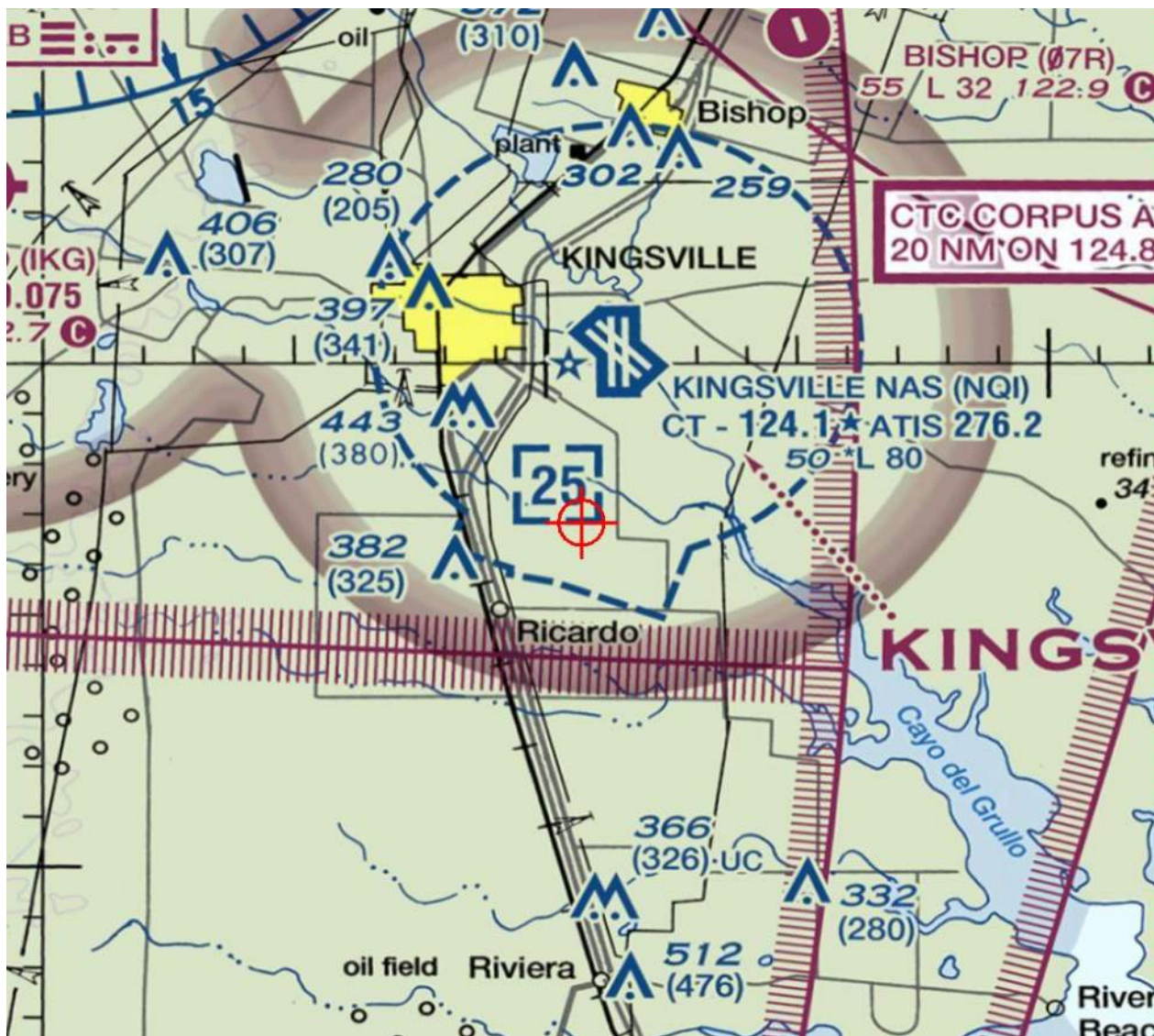
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-6928-OE



Sectional Map for ASN 2015-ASW-6928-OE





DEPARTMENT OF THE NAVY

NAVAL AIR STATION
554 MC CAIN ST. SUITE 310
KINGSVILLE TX 78383 5054

11000
Ser N00/001
JAN 07 2015

Mr. Charlie Cardenas
City Engineer and Director of Public Works
City of Kingsville
P.O. Box 1458
200 E. Kleberg St.
Kingsville, TX 78364

Mr. Cardenas,

This letter is in response to Assistant Public Works Director Mr. William Donnell's request of November 3rd, 2014 to increase the permit height of the city's land fill located approximately three miles south of NAS Kingsville from 115 feet mean sea level (MSL) to a not-to-exceed height of 200 feet (MSL).

This request, having been vetted through Naval Flight Information Group and Training Air Wing TWO, is approved. I do request that when the city secures the new land fill permit that you provide a copy for our records.

Thank you for allowing NAS Kingsville to comment and taking into consideration the possible impact of this project to our mission. Should you require additional information, my point of contact is Mr. Glenn Jones, Community Plans Liaison Officer, (361) 516-4770.

Sincerely,

A handwritten signature in black ink, appearing to read "C. C. Misner".

C. C. MISNER
Captain, U.S. Navy
Commanding Officer

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 4-B
RESPONSE FROM
FEDERAL AVIATION ADMINISTRATION (FAA)



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Airports Division, Southwest Region Safety and
Standards Branch

10101 Hillwood Parkway
Fort Worth, Texas 76177

November 20, 2015

Mr. Jon M. Reinhard
Project Engineer
Naismith Engineering Inc.
4501 Gollihar Road
Corpus Christi, TX 78411

**Subject: Kingsville Municipal Solid Waste Landfill
Kleberg County, Texas**

FAA File No. 2015-010-TX

Dear Mr. Reinhard:

This letter is in response to your October 23, 2015 notice advising us of the application for a vertical and lateral expansion of the City of Kingsville's Municipal Solid Waste Landfill. Your letter confirmed that you have notified the FAA Southwest Region Obstruction Evaluation Group and the Navy Air Service (NAS). The NAS and the FAA Obstruction Evaluation Group responded with no objection to the proposed lateral and vertical expansion of the landfill.

Using your coordinates of 27 27' 10"N and 97 48" 50"W representing the northeast corner of the facility, we determined that there are no privately owned or publically owned public use airports within 5 statute miles of the landfill site. With the landfill located outside of our 5-mile review criteria, we have no objection to the proposed lateral and vertical expansion of the landfill. Our position of no objection is based on the application of our guidance for hazardous wildlife attractants on or near airports FAA Advisory Circular 150/5200-33B.

This site has been assigned our file No. 2015-010-TX. Please refer to this number in any future correspondence regarding this site. Thank you for coordinating this project with us. If there are any questions, you can contact me at 817-222-5621 or bill.mitchell@faa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Mitchell'.

William Mitchell
Lead Airport Certification Safety Inspector
Airports Division Southwest Region
(817) 222-5621
Bill.mitchell@faa.gov

FOR PERMIT PURPOSES ONLY

cc: Texas Department of Transportation
Division of Aviation
125 East 11th Street
Austin, TX 78701-2483

Texas Commission on Environmental Quality
Municipal Solid Waste Permits Section
Waste Permits Division
P.O. Pox 13087
Austin, TX 78711-3087

ASW-930 (with copy of 10/23/2015 letter)

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 5
WETLANDS CORRESPONDENCE

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 5-A
SUBMITTAL TO
UNITED STATES ARMY CORPS OF ENGINEERS (USACE)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 9, 2015

Mr. Mark Pattillo
Acting Supervisor – Corpus Christi Regulatory Field Office
U.S. Army Corps of Engineers
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411

Re: Request for Jurisdictional Determination

**City of Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
TCEQ Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Pattillo:

On behalf of the City of Kingsville, Naismith Engineering, Inc. is preparing a Texas Commission on Environmental Quality (TCEQ) permit amendment for a vertical and lateral expansion of their Municipal Solid Waste Landfill currently authorized under TCEQ Permit No. MSW 235B. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (Exhibit 1). The facility is permitted by the TCEQ as a Type I and Type IV Landfill. The majority of the site is comprised of permitted fill areas designated for the placement of waste material.

The original permitted boundary is approximately 120 acres and includes two NWI mapped freshwater emergent wetland areas (PEM1Ax and PEM1Cx) within that boundary. In November 1997, a jurisdictional determination (D-8551) was issued from the USACE determining no USACE permit was required for these wetlands (Exhibit 2). This determination was valid for 5 years and has expired. The proposed expansion will include approximately 20 acres to the east (which is currently used as a soil borrow pit) and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres.

The purpose of this letter is to request a jurisdictional determination for the 180 acres of the landfill site in accordance with 30 TAC 330.61(m) Municipal Solid Waste Permit and Registration Application Procedures.

Based on the previous jurisdictional determination D-8551, the proposed project should not require a USACE permit. In addition, the wetlands do not appear to be subject to a case-specific significant nexus determination as they are located approximately 4,500 feet southwest of Santa Gertrudis Creek (a tributary) and approximately 3,000 feet from the 100-year floodplain (Exhibit 3). Both wetlands appear to be isolated and formed by excavation related to landfill construction. Please review the attached information and provide written verification that this project will not require any further USACE coordination.

Thank you for your assistance in this matter. Should you need additional information or have questions, please do not hesitate to contact me at (361)814-9900 or mkskoruppa@naismith-engineering.com.

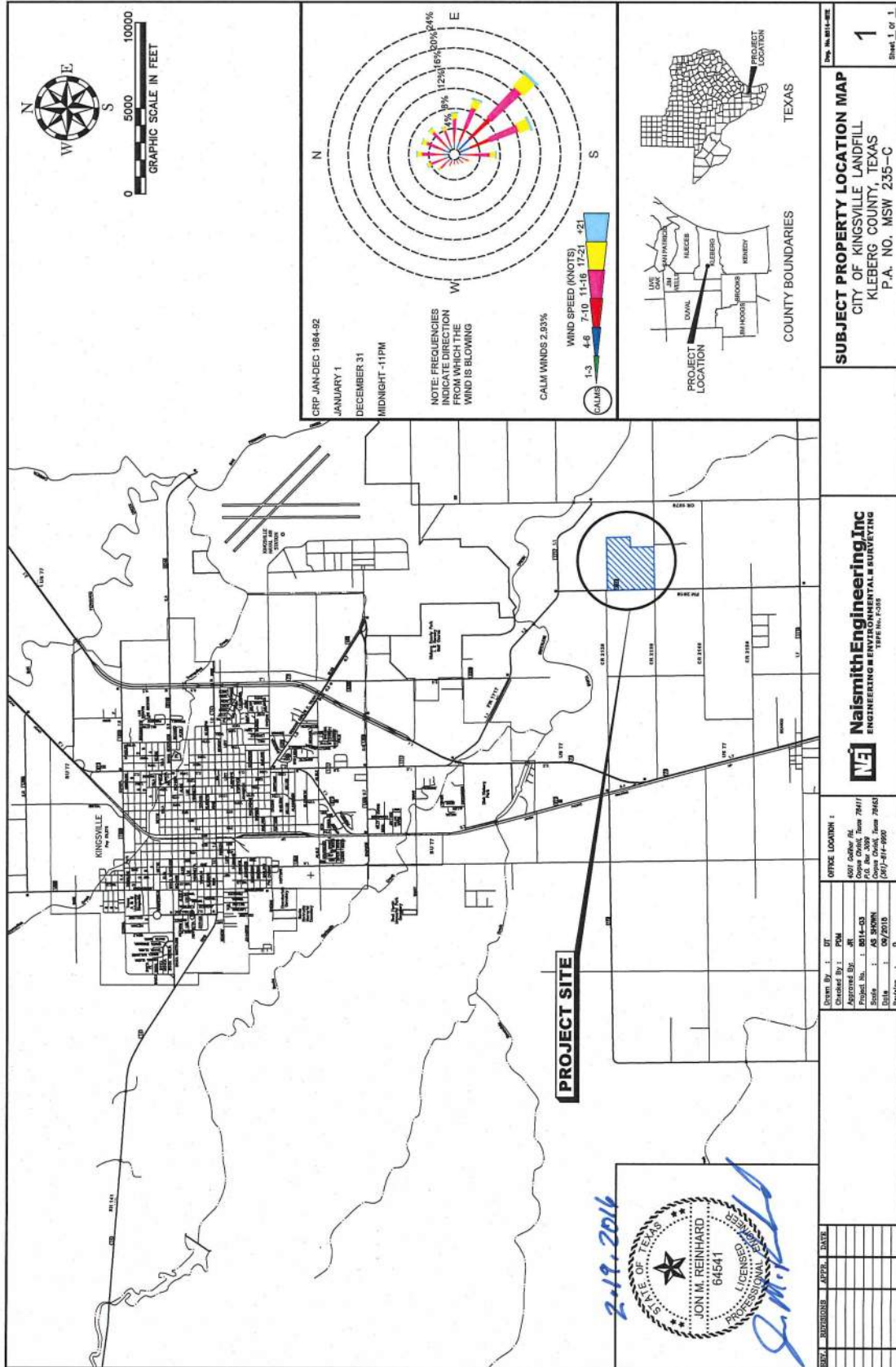
Sincerely,



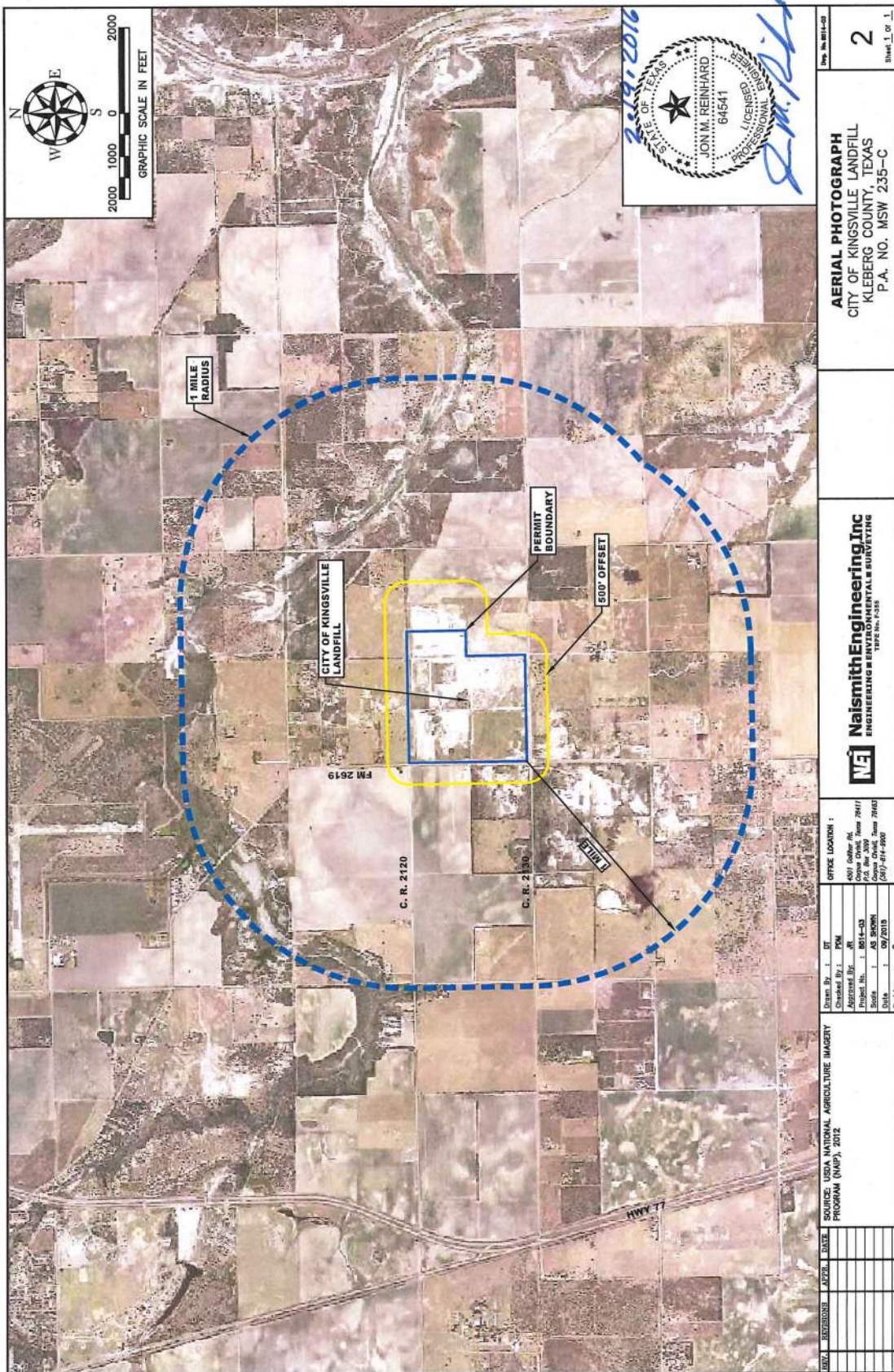
Naismith Engineering, Inc.
Mary Kay Skoruppa
Project Scientist V

Enclosures: Site Location Map
Topographic Map
Previous Jurisdictional Determination
Location of Santa Gertrudis Creek, 100-year Floodplain, and NWI-mapped wetlands





FOR PERMIT PURPOSES ONLY





DEPARTMENT OF THE ARMY
SOUTHERN AREA OFFICE, CORPS OF ENGINEERS
P.O. BOX 2948
CORPUS CHRISTI, TEXAS 78403-2948

November 7, 1997

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: D-8551

Mr. Homero Castillo
Alpha Engineering
P.O. Box 1251
Kingsville, Texas 78364

Dear Mr. Castillo:

This is in response to your August 13, 1997, letter requesting a jurisdictional determination and permit requirements for a proposed Solid Waste Landfill project. The site is located at the intersection of FM 2130 and FM 2619, Kleberg County, Texas.

I have completed my review of the information submitted and have determined that a Corps of Engineers permit is not required to proceed with the project. This determination is valid for a period of 5 years unless new information warrants a revision before the expiration date.

If you have any questions concerning this matter, please contact me at the letterhead address or call (512) 884-3385.

Sincerely,

James E. Gilmore
South Unit Leader
Enforcement Section

**Exhibit 2. U.S. Army Corps of Engineers jurisdictional determination D-8551
City of Kingsville Municipal Solid Waste Landfill permit amendment**



North

Exhibit 3. Location of Santa Gertrudis Creek, 100-year Floodplain, and NWI-mapped wetlands City of Kingsville Municipal Solid Waste Landfill permit amendment

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 5-B
RESPONSE FROM
UNITED STATES ARMY CORPS OF ENGINEERS (USACE)



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
CORPUS CHRISTI REGULATORY FIELD OFFICE
5151 FLYNN PARKWAY, SUITE 306
CORPUS CHRISTI, TEXAS 78411-4318

June 15, 2016

REPLY TO
ATTENTION OF:

Corpus Christi Regulatory Field Office

SUBJECT: File No. SWG-1997-00838; Approved Jurisdictional Determination

Naismith Engineering, Inc.
ATTN: Ms. Mary Kay Skoruppa
4501 Gollihar Road
Corpus Christi, Texas 78411-2909

Dear Ms. Skoruppa:

This is in regard to your request, dated September 9, 2015, on behalf of the City of Kingsville, in which you requested that we verify a wetland delineation on an expansion project for the City of Kingsville's Sanitary Landfill. The existing 120-acre Type I and Type IV facility is located southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 in Kleberg County, Texas. The City of Kingsville is preparing to expand the permit boundary to approximately 180 acres. The project location and plans reviewed are attached in 3 sheets.

We have determined that wetlands 1 and 2 are "isolated" wetlands as defined in 33 CFR 330.2(e): those non-tidal waters of the United States that are not part of a surface tributary system to interstate or navigable waters of the United States, and are not adjacent to such tributary water bodies. There is no known surface water connection to interstate commerce associated to them. The Corps of Engineers has the authority to regulate certain work under the provisions of Section 10 of the Rivers and Harbor Act and Section 404 of the Clean Water Act (Section 404). Section 404 provides for the regulation of the discharge of fill material into Waters of the United States, which includes all wetlands adjacent to tidal and non-tidal waters. Isolated wetlands and outlying areas that are seasonally saturated may be regulated under the provisions of Section 404 depending on their relationship with interstate commerce. As such and according to the project plans submitted, a Department of the Army permit is not required for this activity.

This determination is an approved jurisdictional determination for wetlands 1 and 2, located within your project site, and is based on the isolated nature of these small wetlands and the lack of a significant nexus to navigable or interstate waters. This approved determination is valid for 5 years from the date of this letter unless new information warrants a revision of the determination prior to the expiration date.

-2-

Corps determinations are conducted to identify the limits of the Corps Clean Water Act jurisdiction for particular sites. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a combined Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA to the Southwestern Division Office at the following address:

Elliott N. Carman, Appeal Review Officer
Southwestern Division, CESWD-PD-O
1100 Commerce Street, Room 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199
Email: Elliott.N.Carman@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, meets the criteria for appeal under 33 C.F.R. Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination.

Please reference file number **SWG-1997-00838** in future correspondence pertaining to this subject. If you have any questions, please contact me at the letterhead address or by telephone at 361-814-5847, ext. 1002. To assist us in improving our service to you, please complete the survey found at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

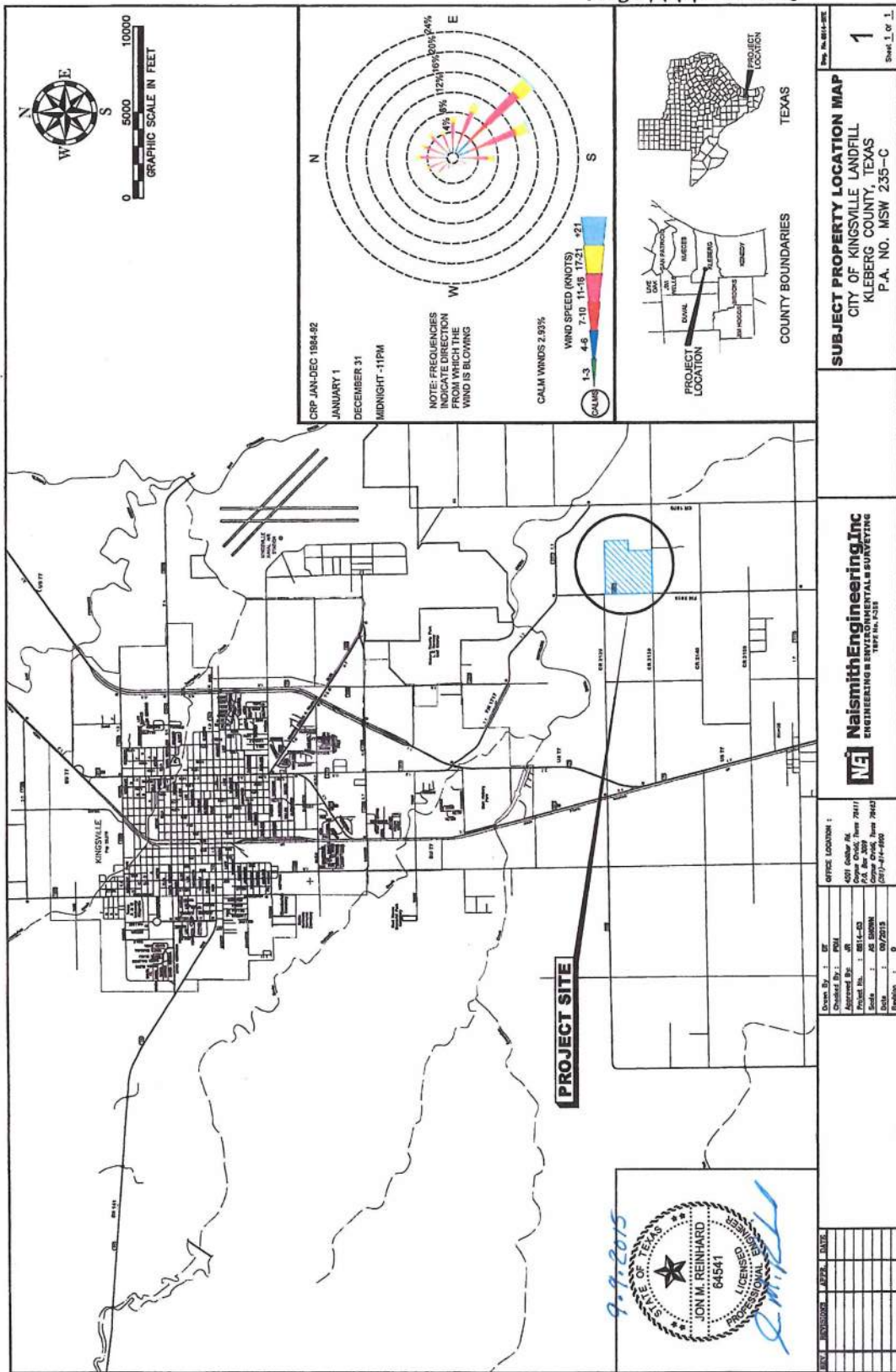


Matthew Kimmel
Supervisor
Corpus Christi Regulatory Field Office

Enclosures

FOR PERMIT PURPOSES ONLY

SEP 09 2015

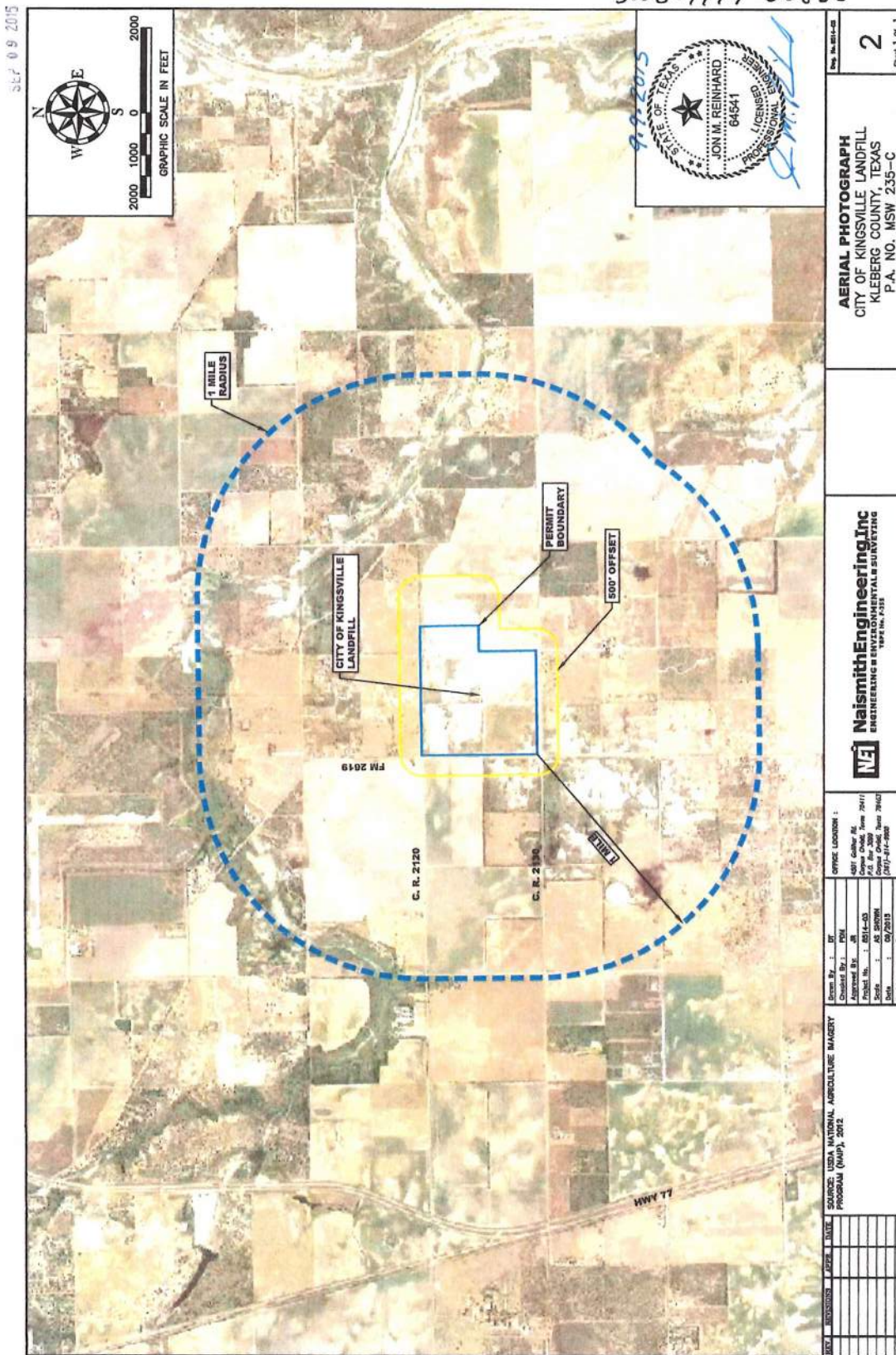


SWG-1997-00838

*Project SWG-1997-00838
 Site Map
 Sheet 1 of 3*

FOR PERMIT PURPOSES ONLY

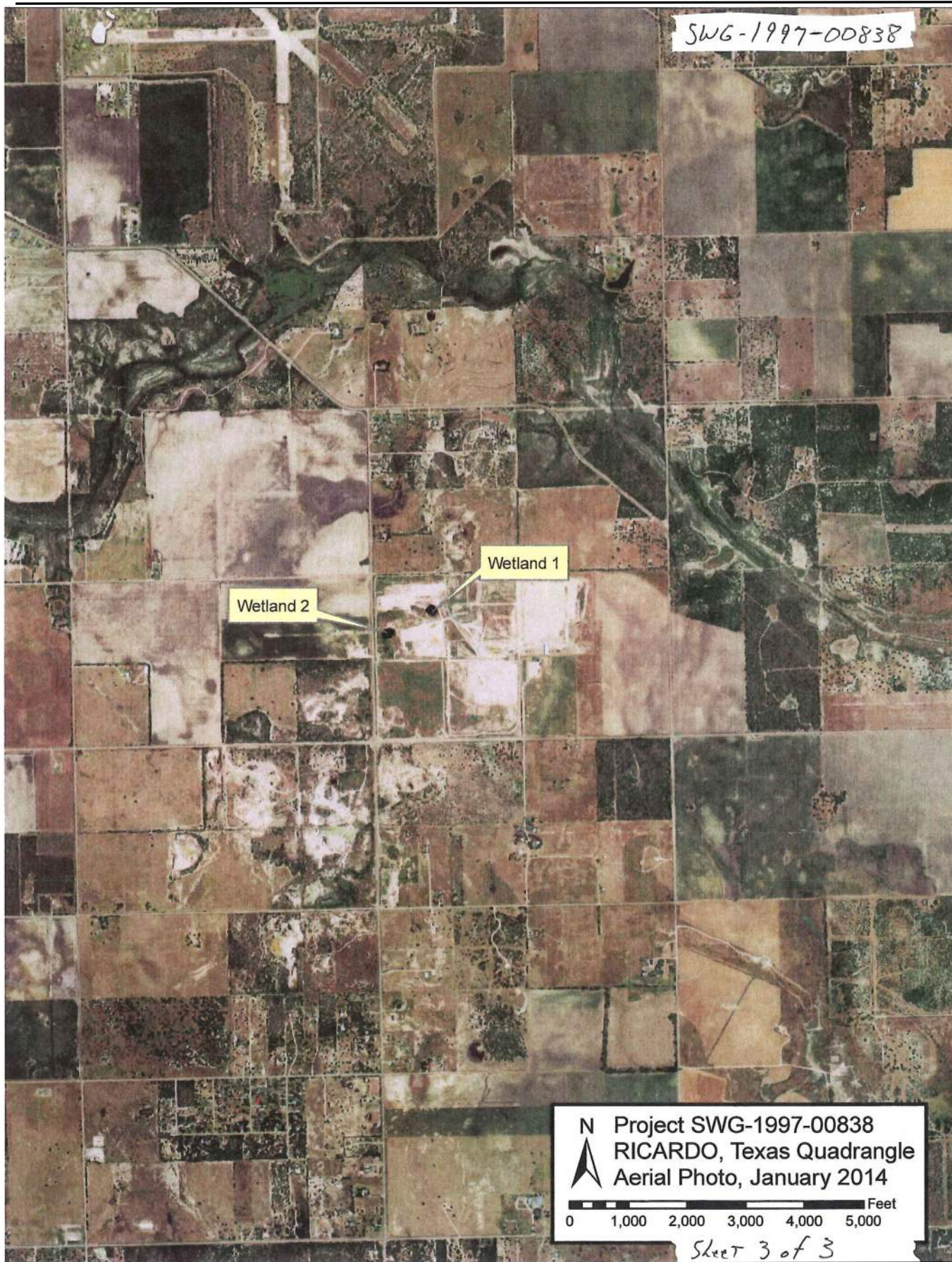
SWG-1997-00838



NAI NaismithEngineering, Inc ENGINEERING & ENVIRONMENTALS SURVEYING <small>1048 W. 11th St. Kingsville, TX 77603</small>		AERIAL PHOTOGRAPH CITY OF KINGSVILLE LANDFILL KLEBERG COUNTY, TEXAS P.A. NO. MSW 235-C		2 Sheet 1 of 1
SOURCE: USDA NATIONAL AGRICULTURE STATISTICS PROGRAM (NAIP), 2012		OFFICE LOCATION: 4871 Galbraith Rd. Springdale, Texas 75117 Phone: 972-342-1111 Fax: 972-342-1111 Email: info@nai.com		Project No.: 2018-03 Scale: AS SHOWN Date: 09/2018 Revision: 0

Project SWG-1997-00838
 Aerial Photograph
 Sheet 2 of 3

FOR PERMIT PURPOSES ONLY



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL		
Applicant: Naismith Engineering	File Number: SWG-1997-00838	Date: 15 June 2016
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E
<p>SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx or Corps regulations at 33 CFR Part 331.</p>		
<p>A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.</p> <ul style="list-style-type: none"> • ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit. • OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below. 		
<p>B: PROFFERED PERMIT: You may accept or appeal the permit</p> <ul style="list-style-type: none"> • ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit. • APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice. 		
<p>C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</p>		
<p>D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.</p> <ul style="list-style-type: none"> • ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD. • APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice. 		
<p>E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.</p>		

FOR PERMIT PURPOSES ONLY

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
 Mr. Matthew Kimmel
 Supervisor
 CESWG-RD-CC
 U.S. Army Corps of Engineers
 5151 Flynn Parkway, Suite 306
 Corpus Christi, Texas 78411-4318
 361-814-5847 ext. 1002; FAX: 361-814-5912

If you only have questions regarding the appeal process you may also contact:
 Mr. Elliott Carman
 Administrative Appeals Review Officer (CESWD-PD-O)
 U.S. Army Corps of Engineers
 1100 Commerce Street, Suite 831
 Dallas, Texas 75242-1317
 469-487-7061

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:
---	-------	-------------------

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 6
ENDANGERED OR THREATENED SPECIES
CORRESPONDENCE

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 6-A
SUBMITTAL TO
TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 9, 2015

TRANSMITTED BY EMAIL: whab@tpwd.texas.gov

Cc: Russell.Hooten@tpwd.texas.gov

Russell Hooten
Wildlife Habitat Assessment Program
Texas Parks & Wildlife Department
6300 Ocean Drive, Unit 5846
Corpus Christi, Texas 78412

RE: Request for Endangered Species Review

**City of Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Hooten:

The purpose of this letter is to request a threatened and endangered species review for the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill), for the proposed amendment to Texas Commission on Environmental Quality (TCEQ) Permit No. MSW 235B. This review is being requested in accordance with the Texas Administrative Code Chapter 330: Municipal Solid Waste Regulations for permit acquisition. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (see Property Location Map and Aerial Photograph).

The City of Kingsville is proposing a lateral and vertical expansion of their existing landfill. The current permit boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 acres to the east (which is currently used as a soil borrow pit) and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL. The primary use of this facility will remain dedicated for disposal of municipal solid waste serving residences and businesses in Kleberg and surrounding counties.

The project site is located within the property boundary of an established municipal landfill that has been modified extensively over the last 20 years. In 1997, an endangered and threatened species review was conducted as part of the last permit amendment and the Texas Parks & Wildlife concluded that the construction and operation of the landfill would not result in negative impacts to rare species or natural communities (see attached letter of 1997 review finding).

FOR PERMIT PURPOSES ONLY

Please provide an updated determination from your agency as to whether this project will have any adverse effects on state-listed species within the 180-acre project site. We would appreciate your written response to this request.

Thank you for your assistance in this matter. If you have any questions or comments, please do not hesitate to contact me at (361) 814-9900 or mkskoruppa@naismith-engineering.com.

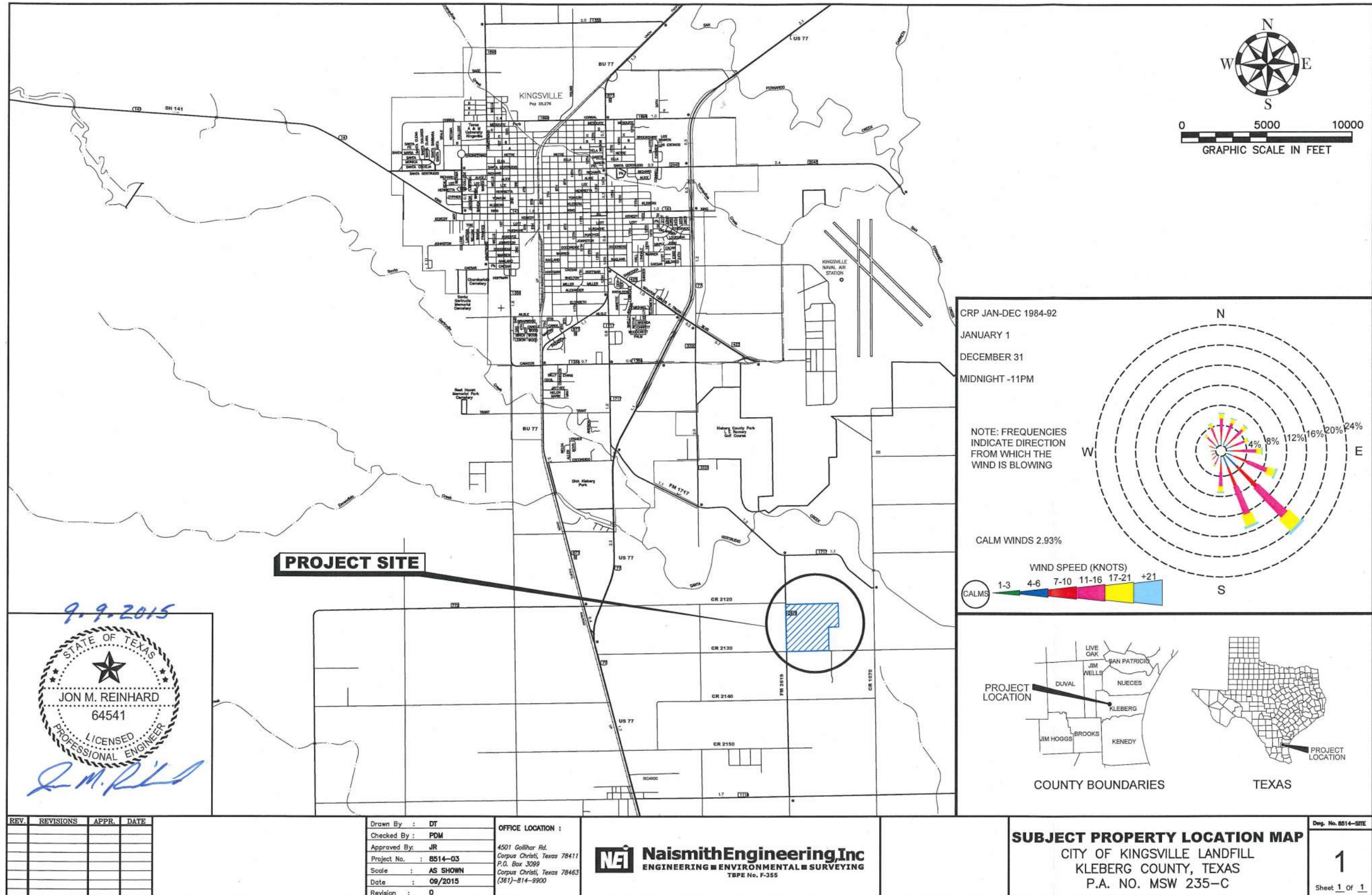
Sincerely,



Mary Kay Skoruppa
Project Scientist V
Naismith Engineering, Inc.

Enclosures: Property Location Map
Aerial Photograph
Letter of 1997 review finding





9.9.2015

STATE OF TEXAS
 JON M. REINHARD
 64541
 LICENSED PROFESSIONAL ENGINEER

J.M. Reinhard

REV.	REVISIONS	APPR.	DATE

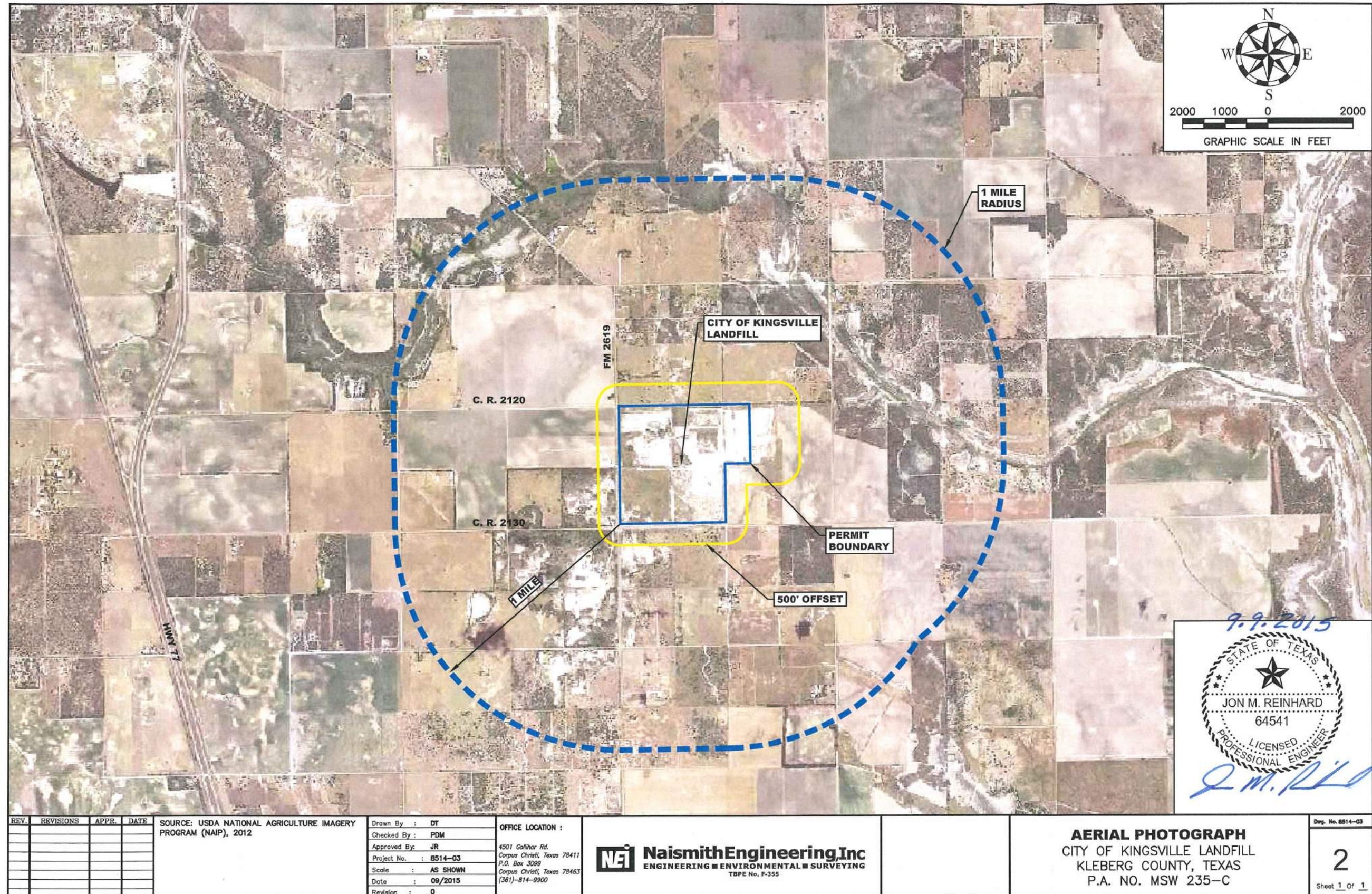
Drawn By : DT
 Checked By : PDM
 Approved By: JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gallihar Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900

NEI NaismithEngineering, Inc
 ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
 TBPE No. F-355

SUBJECT PROPERTY LOCATION MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dwg. No. 8514-SITE
1
 Sheet 1 of 1



FOR PERMIT PURPOSES ONLY

12/11/87 12:35 ☎512 912 7058 RESOURCE PROT. 001/001
 11-20-97 12:28PM FROM ALPHA ENGINEERING 512 592 3177 P. 1



To: Homero Castillo

HOMERO CASTILLO, P.E.
 108 North Fifth Street
 P.O. Box 1251
 Kingsville, Texas 78364
 Phone: (512) 592-2977
 Fax: (512) 592-3177

November 17, 1997

Mr. Albert El-Hage
 Texas Parks & Wildlife Department
 3000 S. IH 35 Suite 100
 Austin, Texas 78704

	Currently available data and Endangered Resources Branch review of the activity as proposed indicate no anticipated negative impacts to rare species of natural communities.
	Reviewed: <i>[Signature]</i> Date: <i>12-11-97</i>

Dear Mr. El-Hage:

FAKED 12-11-97

The City of Kingsville intends to submit a permit amendment to TNRCC for the expansion of the current permit no. 235-A for the solid waste landfill. The Landfill is located in Kleberg County. The proposed development will increase the current landfill approximately 25-feet in height, 40-acres to the east and 40-acres to the northwest. The landfill is currently in operation and expected to continue through the year 2034. The activities scheduled for the landfill is typical of current operations however the construction and activities will be modified to comply with the current TNRCC requirements.

The 40-acre area to the east is a borrow pit area for the current landfill operation. The 40-acre area to the northwest is an abandoned caliche mining pit. Attached is a copy of the USGS Quadrangle map, Ricardo, where the proposed site is located.

The City of Kingsville requests the Services to determine potential impacts of the proposed activities to Federally listed species, as well as the important wildlife resources and habitat. If you have any questions or comments please contact Mr. Homero Castillo, P.E., of Alpha Engineering, at (512) 592-2977.

Sincerely,
 Alpha Engineering

Homero Castillo

Homero Castillo, P.E.

*cultivated field or caliche pit
 (USFWS - Letter finding site survey - verbal - no plants)*

Post-It® Fax Note	7671	Date	11-20-97	# of pages	2
To	Mr. Albert El-Hage	From	Homero Castillo, P.E.		
Co. Dept.	Texas Parks + Wildlife	Co.	Alpha Engineering		
Phone	512-912-7052	Phone	592-2977		
Fax	512-912-7058	Fax	592-3177		

EXHIBIT 16
 PAGE 3
 REVISION NO. 1

MAY 1998

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 6-B
RESPONSE FROM
TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 9, 2015

TRANSMITTED BY EMAIL: whab@tpwd.texas.gov

Cc: Russell.Hooten@tpwd.texas.gov

Russell Hooten
Wildlife Habitat Assessment Program
Texas Parks & Wildlife Department
6300 Ocean Drive, Unit 5846
Corpus Christi, Texas 78412

RE: Request for Endangered Species Review

**City of Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Hooten:

The purpose of this letter is to request a threatened and endangered species review for the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill), for the proposed amendment to Texas Commission on Environmental Quality (TCEQ) Permit No. MSW 235B. This review is being requested in accordance with the Texas Administrative Code Chapter 330: Municipal Solid Waste Regulations for permit acquisition. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (see Property Location Map and Aerial Photograph).

The City of Kingsville is proposing a lateral and vertical expansion of their existing landfill. The current permit boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 acres to the east (which is currently used as a soil borrow pit) and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL. The primary use of this facility will remain dedicated for disposal of municipal solid waste serving residences and businesses in Kleberg and surrounding counties.

The project site is located within the property boundary of an established municipal landfill that has been modified extensively over the last 20 years. In 1997, an endangered and threatened species review was conducted as part of the last permit amendment and the Texas Parks & Wildlife concluded that the construction and operation of the landfill would not result in negative impacts to rare species or natural communities (see attached letter of 1997 review finding).

TBAE Firm 13553 ■ TBPE Firm 355 ■ TBPG Firm 50017 ■ TBPLS Firm 100395-00
4501 Gollihar Road. **Corpus Christi, TX** 78411 ■ 800-677-2831 361-814-9900 Fax 361-814-4401 ■ naismith-engineering.com

FOR PERMIT PURPOSES ONLY

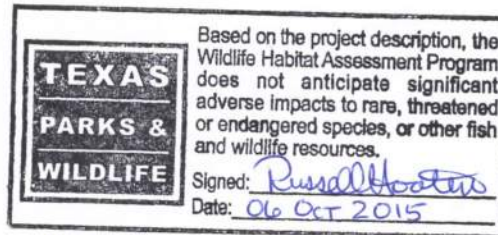
Please provide an updated determination from your agency as to whether this project will have any adverse effects on state-listed species within the 180-acre project site. We would appreciate your written response to this request.

Thank you for your assistance in this matter. If you have any questions or comments, please do not hesitate to contact me at (361) 814-9900 or mkskoruppa@naismith-engineering.com.

Sincerely,



Mary Kay Skoruppa
Project Scientist V
Naismith Engineering, Inc.



#35352 ERCS 11698

Enclosures: Property Location Map
Aerial Photograph
Letter of 1997 review finding

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 6-C
SUBMITTAL TO
UNITED STATES FISH AND WILDLIFE SERVICE (USFWS)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

February 19, 2016

Mary Orms
U.S. Fish and Wildlife Service
P. O. Box 81468
Corpus Christi, Texas 78468-1468

Transmitted via email:
mary_orms@fws.gov

RE: Request for Endangered Species Review

**City of Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Ms. Orms:

The purpose of this letter is to request a threatened and endangered species review for the City of Kingsville Municipal Solid Waste Landfill (Kingsville Landfill), for the proposed amendment to Texas Commission on Environmental Quality (TCEQ) Permit No. MSW 235B. There is no Federal nexus for this project; however, this review is being requested in accordance with 30 TAC 330.61 (n) Municipal Solid Waste Permit and Registration Application Procedures. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (see Exhibit 1- Property Location Map, and Exhibit 2-Aerial Photograph).

The City of Kingsville is proposing a lateral and vertical expansion of their existing landfill. The current permit boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 acres to the east (which is currently used as a soil borrow pit) and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL. The primary use of this facility will remain dedicated for disposal of municipal solid waste serving residences and businesses in Kleberg and surrounding counties.

The project site is located within the property boundary of an established municipal landfill that has been modified extensively over the last 20 years. The 1997 endangered and threatened species review conducted as part of the last permit amendment concluded that the construction and operation of the landfill would not likely result in impacts to federally listed species or other important fish and wildlife resources (see Exhibit 3- letter with previous finding of No Effect).

Please provide an updated determination from your agency as to whether this project will have any adverse effects on federally listed species within the 180-acre project site. We would appreciate your written response to this request.

Thank you for your assistance in this matter. If you have any questions or comments, please do not hesitate to contact me at (361) 814-9900 or mkskoruppa@naismith-engineering.com.

Sincerely,



Mary Kay Skoruppa
Project Scientist
Naismith Engineering, Inc.

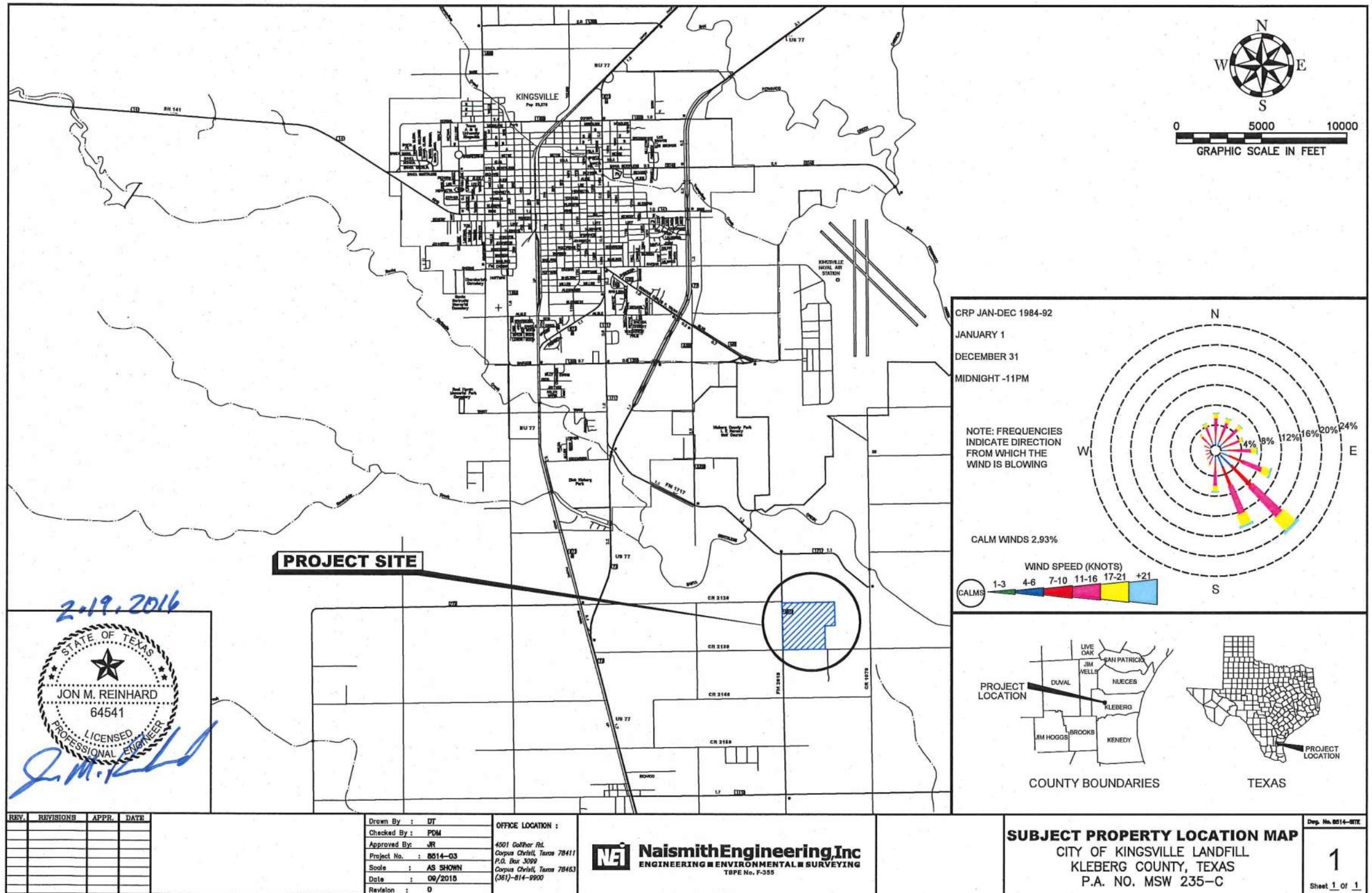
Enclosures: Property Location Map
Aerial Photograph
Previous Finding of No Effect



Exhibit 1

Property Location Map

FOR PERMIT PURPOSES ONLY



2-19-2016



Jon M. Reinhard

REV.	REVISIONS	APPR.	DATE

Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2016
 Revision : 0

OFFICE LOCATION :
 4501 Collier Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900

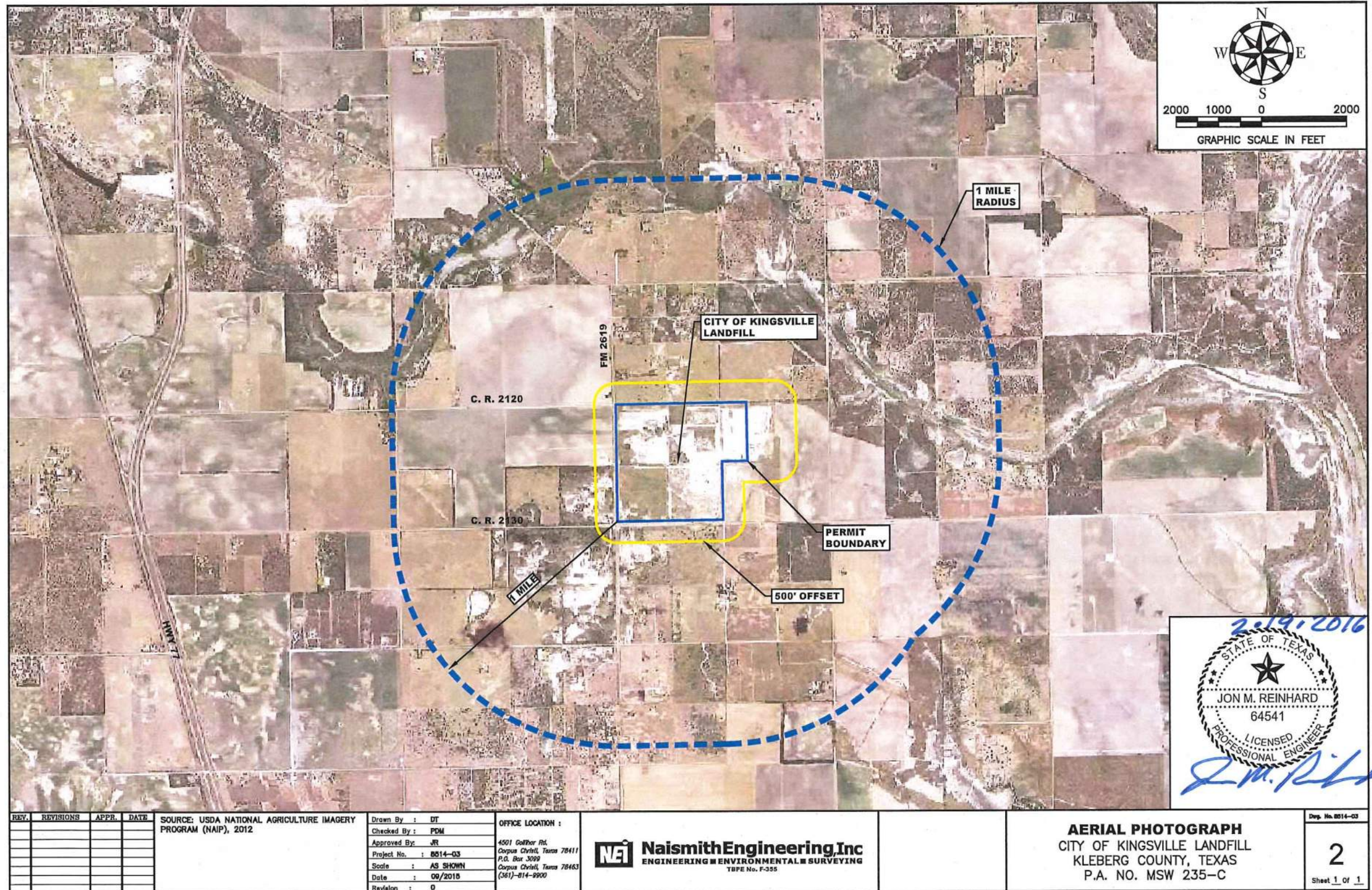


SUBJECT PROPERTY LOCATION MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dep. No. 8514-03E
1
 Sheet 1 of 1

Exhibit 2

Aerial Photograph



REV.	REVISIONS	APPR.	DATE

SOURCE: USDA NATIONAL AGRICULTURE IMAGERY PROGRAM (NAIP), 2012

Drawn By : DT
 Checked By : PDM
 Approved By : JRM
 Project No. : 0014-03
 Scale : AS SHOWN
 Date : 09/2018
 Revision : 0

OFFICE LOCATION :
 4501 Galtier Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3090
 Corpus Christi, Texas 78463
 (361)-814-9900

NEI **NaismithEngineering, Inc**
 ENGINEERING • ENVIRONMENTAL • SURVEYING
 TBPE No. F-355

AERIAL PHOTOGRAPH
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dep. No. 0014-03
2
 Sheet 1 of 1

Exhibit 3

Previous Finding of No Effect

FOR PERMIT PURPOSES ONLY

Received: 11/19/97; 4:06PM; 512 592 3177 => US FWS; #1
 11-19-1997 4:10PM FROM ALPHA ENGINEERING 512 592 3177

P. 1



HOMERO CASTILLO, P.E.
 109 North Fifth Street
 P.O. Box 1251
 Kingsville, Texas 78364
 Phone: (512) 592-2977
 Fax: (512) 592-3177

November 17, 1997

Field Supervisor
 U.S. Fish and Wildlife Service-Ecological Services
 c/o TAMU-CC, Campus Box 338
 6300 Ocean Drive
 Corpus Christi, Texas 78412

Dear Ms. Presley:

The City of Kingsville intends to submit a permit amendment to TNRCC for the expansion of the current permit no. 235-A for the solid waste landfill. The Landfill is located in Kleberg County. The proposed development will increase the current landfill approximately 25-feet in height, 40-acres to the east and 40-acres to the northwest. The landfill is currently in operation and expected to continue through the year 2034. The activities scheduled for the landfill is typical of current operations however the construction and activities will be modified to comply with the current TNRCC requirements.

The 40-acre area to the east is a borrow pit area for the current landfill operation. The 40-acre area to the northwest is an abandoned caliche mining pit. Attached is a copy of the USGS Quadrangle map, Ricardo, where the proposed site is located.

The City of Kingsville requests the Services to determine potential impacts of the proposed activities to Federally listed species, as well as the important wildlife resources and habitat. If you have any questions or comments please contact Mr. Homero Castillo, P.E., of Alpha Engineering, at (512)592-2977.

2-11-98-I-048

Sincerely,
 Alpha Engineering

Homero Castillo, P.E.

NO EFFECT FINDING	
Based on our review of the project activity as proposed, it is not likely that federally listed species, or other important fish and wildlife resources will be impacted.	
Date	December 12, 1997
Consultation #	2-11-98-I-048
Approved by	Robyn A. Cobb
U.S. FISH and WILDLIFE SERVICE, CORPUS CHRISTI, TX	

Post-it® Fax Note	7671	Date	11-19-97	# of pages	2
To	Loretta Presley	From	Mr. Homero Castillo P.E.		
Co. Dept.	U.S. Fish + Wildlife Serv.	Co.	Alpha Engineering		
Phone #	512-994-9005	Phone #	512-592-2977		
Fax #	512-994-8262	Fax #	512-592-3177		

MAY 1998

EXHIBIT 16
 PAGE 1
 REVISION NO. 1

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 6-D
RESPONSE FROM
UNITED STATES FISH AND WILDLIFE SERVICE (USFWS)

MaryKay Skoruppa

From: Orms, Mary <mary_orms@fws.gov>
Sent: Friday, October 28, 2016 8:46 AM
To: MaryKay Skoruppa
Subject: Re: City of Kingsville Endangered Species Review

Mary Kay Skruppa
Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78411

RE: Consultation 2-11-98-I-048 Kingsville Municipal Landfill

Mary Kay,

This responds to your October 21, 2016, email regarding an amendment to the City of Kingsville Municipal Solid Waste Landfill's Texas Commission on Environmental Quality (TCEQ) Permit No. MSW 235B. The City of Kingsville proposes a lateral and vertical expansion of their existing 120 acre landfill. The lateral expansion would add approximately 20 acres (which is currently used as a soil borrow pit) to the east and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL. The landfill is located in Kleberg County, southeast of the City of Kingsville and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130. Currently, there is no federal nexus for the project.

Your client has requested an updated determination from the U.S. Fish and Wildlife Service (Service) as to whether this project will have any adverse effects on federally listed species within the 180-acre project site. The 120 acre landfill was originally reviewed on December 12, 1997. No threatened or endangered species were expected to be impacted, therefore, a "no effect" determination was made by the client and the Service concurred with that determination. It is the responsibility of the federal agency, or client if there is no federal nexus, to make a determination of effect for the proposed acreage addition.

The 60 acres to be added to the landfill has been impacted by previous agricultural land use and sand borrow pit excavation. The potential for listed plants that occur in Kleberg County (black lace cactus (*Echinocereus reichenbachii* var. *albertii*), slender rush-pea (*Hoffmannseggia tenella*), and South Texas ambrosia (*Ambrosia cheiranthifolia*)) is low. However, the project has no federal nexus and would not be reviewed under section 7 of the Endangered Species Act. If potential impacts were determined to occur the project would be reviewed under section 10(a)1(B) and potentially require a Habitat Conservation Plan. In addition, the Service no longer provides concurrences with "no effect" determinations.

We appreciate your interest in protecting threatened and endangered species. If new information is available on species occurring on the proposed property please contact our office to assist in developing conservation measures that may avoid or reduce impacts. If you have any further questions, please contact me at (361) 994-9005, ext. 246 or via email at mary_orms@fws.gov.

On Wed, Oct 26, 2016 at 1:26 PM, Orms, Mary <mary_orms@fws.gov> wrote:
Mary Kay,
Just a few questions.

On your figure you have the permit boundary. If I understand it correctly the 20 acres is within that permit boundary as it was in 1997.

Have those 20 acres been disturbed by landfill activities already or manipulated in some way? Or have they been sitting there undisturbed? I was trying to figure out if whether it would be wise to do a survey for South Texas ambrosia and slender rushpea. I don't think black-lace cactus would be there unless there is some stream or water component on the property which does not look like there is.

Your asking for our determination, which is really your call, so what you may actually be asking is if we still concur with a no effect determination made in 1997. If that is what your asking, the Service no longer provides concurrences on "no effect" determinations.

Call me if you have questions or email me.

Thanks.

On Fri, Oct 21, 2016 at 2:02 PM, MaryKay Skoruppa <MkSkoruppa@hanson-inc.com> wrote:

Thanks Mary, anytime next week would be super.

From: Orms, Mary [mailto:mary_orms@fws.gov]
Sent: Friday, October 21, 2016 1:44 PM
To: MaryKay Skoruppa

Subject: Re: City of Kingsville Endangered Species Review

okay, I will try to get a response to you on Monday.

On Fri, Oct 21, 2016 at 1:37 PM, MaryKay Skoruppa <MkSkoruppa@hanson-inc.com> wrote:

There have been no surveys done that we are aware of, at least not during the current permit application period. I have never been to the site personally, but am told that the expansion areas have been excavated and used as borrow pits in the past.

-Mary Kay

From: Orms, Mary [mailto:mary_orms@fws.gov]
Sent: Friday, October 21, 2016 1:19 PM
To: MaryKay Skoruppa; Scot Collins

Subject: Re: City of Kingsville Endangered Species Review

Mary Kay, has the proposed expansion area ever been surveyed for South Texas Ambrosia or slender rushpea?

On Fri, Oct 21, 2016 at 1:04 PM, MaryKay Skoruppa <MkSkoruppa@hanson-inc.com> wrote:

Hi Mary,

I think this request slipped through the cracks because of the timing of the USFWS office move, and apparently I failed to follow up until now. I am attaching the original request but please let me know if you need anything else. Please include the project manager, Scot Collins (copied on this email), on all future communications. Do you know how soon we can expect a response?

Thanks,

Mary Kay Skoruppa

Biologist

4501 Gollihar Road

Corpus Christi, Texas 78411

(800) 677-2831 (office)

(361) 814-9900 (office)

(361)-815-5177 (cell)



FOR PERMIT PURPOSES ONLY

From: Orms, Mary [mailto:mary_orms@fws.gov]
Sent: Friday, February 19, 2016 2:45 PM
To: Mary Kay Skoruppa
Subject: Re: City of Kingsville Endangered Species Review

The electronic copy will do. However, we are in the process of moving and will be a bit out of pocket starting Monday. But will get to it as soon as we get in our new location.

Our new address will be:

Mary Orms

U.S. Fish and Wildlife Service

P.O. Box 81468

Corpus Christi, TX 78468-1468

Cell Phone: 361 537-7618

On Fri, Feb 19, 2016 at 2:36 PM, Mary Kay Skoruppa <MKSkoruppa@naismith-engineering.com> wrote:

Hi Mary,

Attached is a letter with supporting documents requesting a review of a proposed expansion of the Kingsville Municipal Solid Waste Landfill. Please let me know if you prefer for me to send you the original copy of this attachment through regular mail.

Thanks,

Mary Kay Skoruppa

Naismith Engineering, Inc.

4501 Gollihar Road

FOR PERMIT PURPOSES ONLY

Corpus Christi, Texas 78411

(800) 677-2831 (office)

(361) 814-9900 (office)

(361)-815-5177 (cell)



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Mail delivered by Hanson Professional Services Inc. mail system.

--

Mary Orms

U.S. Fish and Wildlife Service

Ecological Services Field Office

P.O. Box 81468
Corpus Christi, TX 78468-1468
4444 Corona Dr., Suite 215
Corpus Christi, Texas 78411-4300

Phone: (361) 994-9005 EXT: 246

FOR PERMIT PURPOSES ONLY

Cell: 361-537-7618

Fax: (361) 994-8262

--

Mary Orms

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CITY OF KINGSVILLE LANDFILL

PART II

ATTACHMENT 7

CULTURAL RESOURCES

CORRESPONDENCE

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 7-A
SUBMITTAL TO
TEXAS HISTORICAL COMMISSION (THC)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 9, 2015

Mr. David Camarena
Division of Archeology
Texas Historical Commission
P.O Box 12276
Austin, TX 78711-2276

**Re: Request for Project Review
Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Camarena:

On behalf of the City of Kingsville, Naismith Engineering, Inc. is preparing a Texas Commission on Environmental Quality (TCEQ) permit amendment for a vertical and lateral expansion of their Municipal Solid Waste Landfill currently authorized under TCEQ Permit No. MSW 235B. The facility is permitted by the Texas Commission on Environmental Quality (TCEQ) as a Type I and Type IV Landfill. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (see enclosed location maps). The current permitted boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 additional acres to the east currently used as a soil borrow pit and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL.

The purpose of this letter is to request an updated project review. In October 1997, correspondence from the Texas Historical Commission (THC) indicated that no survey was required and the project could proceed (see enclosed 1997 letter). As a prerequisite to submitting the above amendment for the expansion, the City of Kingsville must comply with the Antiquities Code of Texas (Title 9, Chapter 191 of the Texas Natural Resources Code). In an effort to assess potential impacts to historic properties, Naismith Engineering, Inc. conducted a review of site records available on the Texas Historical Sites Atlas website, Natural Resources Conservation Service's Web Soil Survey, and the Geologic Atlas of Texas.

The Texas Historical Sites Atlas indicates that there are no National Register Properties, Historical Markers, National Register Districts, or cemeteries located within the landfill tract. The Geological Atlas of Texas shows the area to be composed of windblown deposits, including clay dune and clay-sand dune deposits. The Web Soil Survey shows the soil composition as; 74% pits-quarry, 12% Clareville clay loam (0 to 1 percent slopes), 11% Colmena fine sandy

loam (0 to 1 percent slopes), while the remaining 3% consists of Premont fine sandy loam (0 to 3 percent slopes).

Based upon the previous THC determination that no survey is needed, the past and current land uses of the landfill, and the above information, it appears that the area has a low potential to impact archeological deposits within the tract. Please review the information provided and provide assistance in determining that the activity will have no effect to historical properties listed or eligible for listing on the National Register of Historic Places, and no effect on State Archeological Landmarks.

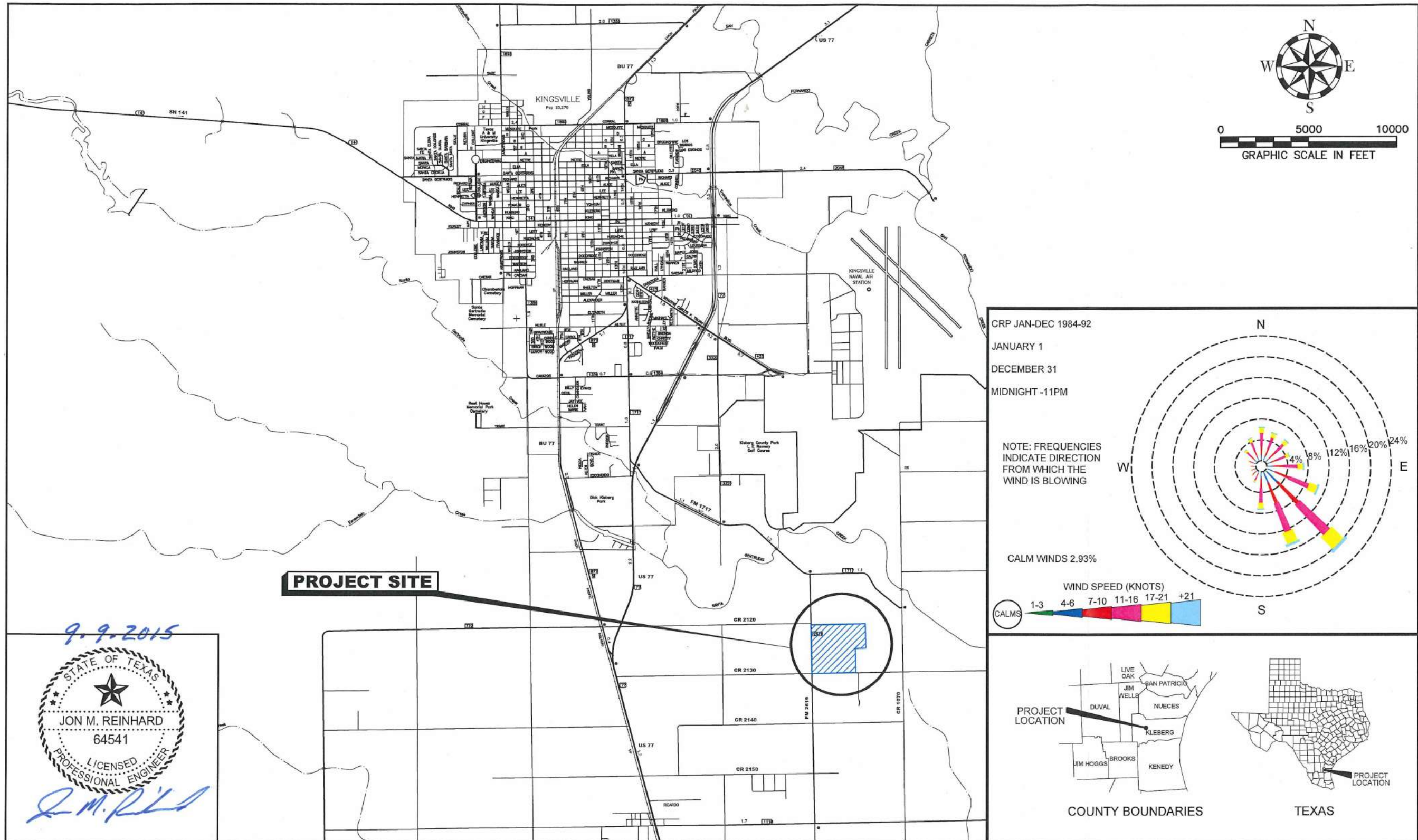
Thank you for your assistance in this matter. We would appreciate your written response to this request. Should you have any questions or comments, please do not hesitate to contact me at (361) 814-9900 or mkskoruppa@naismith-engineering.com.

Sincerely,



Mary Kay Skoruppa
Project Scientist V
Naismith Engineering, Inc.

Enclosures: Property Location Map
Aerial Photograph
Letter of 1997 review finding



9.9.2015

STATE OF TEXAS
 JON M. REINHARD
 64541
 LICENSED PROFESSIONAL ENGINEER

J.M.R.

REV.	REVISIONS	APPR.	DATE

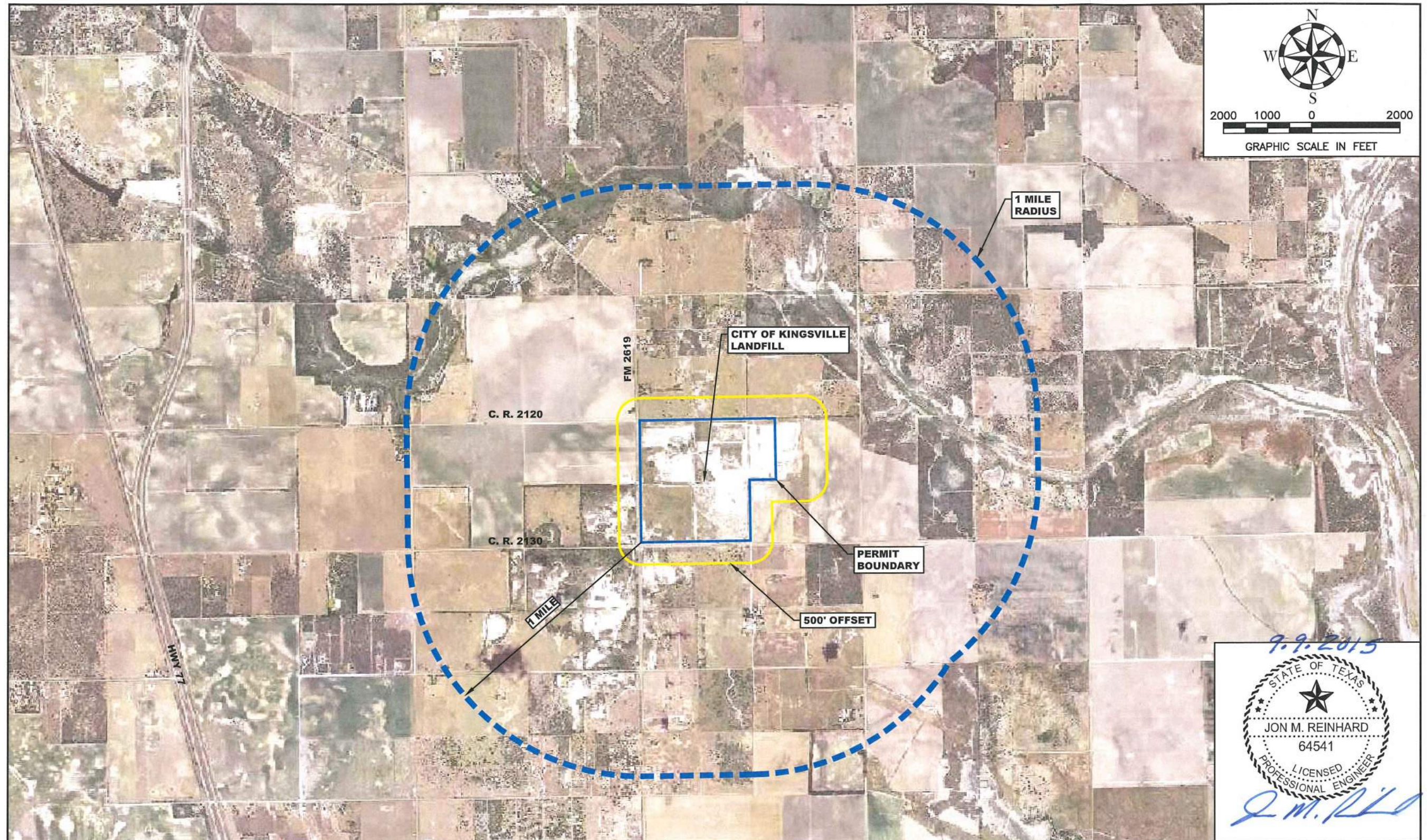
Drawn By : DT
 Checked By : PDM
 Approved By : JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gollhar Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900



SUBJECT PROPERTY LOCATION MAP
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dep. No. 8514-SITE
1
 Sheet 1 of 1



9.9.2015
 STATE OF TEXAS
 JON M. REINHARD
 64541
 LICENSED PROFESSIONAL ENGINEER
J. M. Reinhard

REV.	REVISIONS	APPR.	DATE

SOURCE: USDA NATIONAL AGRICULTURE IMAGERY PROGRAM (NAIP), 2012

Drawn By : DT
 Checked By : PDM
 Approved By: JR
 Project No. : 8514-03
 Scale : AS SHOWN
 Date : 09/2015
 Revision : 0

OFFICE LOCATION :
 4501 Gulliver Rd.
 Corpus Christi, Texas 78411
 P.O. Box 3099
 Corpus Christi, Texas 78463
 (361)-814-9900



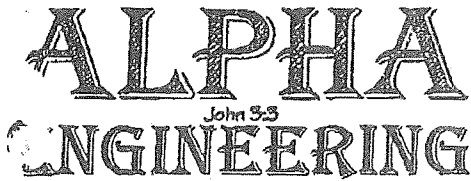
AERIAL PHOTOGRAPH
 CITY OF KINGSVILLE LANDFILL
 KLEBERG COUNTY, TEXAS
 P.A. NO. MSW 235-C

Dep. No. 8514-03
2
 Sheet 1 of 1

FOR PERMIT PURPOSES ONLY

9-18-1997 1:25PM FROM

P. 2



HOMERO CASTILLO, P.E.
109 North Fifth Street
P.O. Box 1251
Kingsville, Texas 78364
Phone: (512) 592-2977
Fax: (512) 592-3177

April 18, 1997

97-5-8178
Bill-FZ F10
RESPONSE TO THIS LETTER
EPA

Dr. James Bruseth
Department of Antiquities Protection
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

Dear Dr. Bruseth:

We are assisting the City of Kingsville in their application to amend their Municipal Solid Waste Disposal Permit 235-A. The location is identified on the enclosed map.

As a requisite to submitting the above application, the City of Kingsville must comply with 30 TAC §330.51 (b)(9), which requires a review letter from your committee.

We need your assistance in determining adherence to the regulations with respect to the aforementioned permit requirements. We appreciate your response to this request.

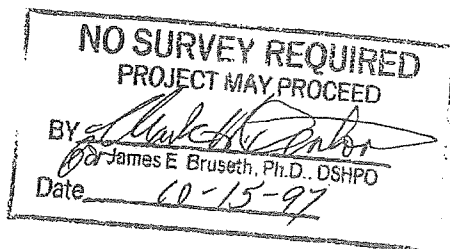
Sincerely,

Homero Castillo
Homero Castillo
Alpha Engineering

9/20/97 phone conversation
EXISTING TO BE EXPANDED
NEW AREA =
EXISTING = SW quad - CLOSED
49 acres = SE quad - 1/2 S
(35) expand a little to east
& north

Enc.

120 total - 80 new acres
85



will send results of borings -
reprod sample

Previously mined for caliche betw 10-20'

Add. Info. sent under
Track# 97-9-14246

MAY 1998

EXHIBIT 8
PAGE 2
REVISION NO. 1

CITY OF KINGSVILLE LANDFILL
PART II
ATTACHMENT 7-B
RESPONSE FROM
TEXAS HISTORICAL COMMISSION (THC)



ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 9, 2015

Mr. David Camarena
Division of Archeology
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

**NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED**
by *William A. Monte*
for Mark Wolfe
State Historic Preservation Officer
Date *9/25/15*
Track# *2016010768*

RECEIVED
SEP 14 2015
Texas Historical Commission

**Re: Request for Project Review
Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion**

Dear Mr. Camarena:

On behalf of the City of Kingsville, Naismith Engineering, Inc. is preparing a Texas Commission on Environmental Quality (TCEQ) permit amendment for a vertical and lateral expansion of their Municipal Solid Waste Landfill currently authorized under TCEQ Permit No. MSW 235B. The facility is permitted by the Texas Commission on Environmental Quality (TCEQ) as a Type I and Type IV Landfill. Kingsville Landfill is located in Kleberg County, southeast of the City of Kingsville, and at the northeast corner of the intersection of Farm to Market Road 2619 and East County Road 2130 (see enclosed location maps). The current permitted boundary consists of approximately 120 acres. The proposed lateral expansion will include approximately 20 additional acres to the east currently used as a soil borrow pit and another 40 acres to the southwest on the closed pre-subtitle D landfill area, for a total of 180 acres. The overall maximum elevation of the final cover will also increase from 125 feet MSL to 200 feet MSL.

The purpose of this letter is to request an updated project review. In October 1997, correspondence from the Texas Historical Commission (THC) indicated that no survey was required and the project could proceed (see enclosed 1997 letter). As a prerequisite to submitting the above amendment for the expansion, the City of Kingsville must comply with the Antiquities Code of Texas (Title 9, Chapter 191 of the Texas Natural Resources Code). In an effort to assess potential impacts to historic properties, Naismith Engineering, Inc. conducted a review of site records available on the Texas Historical Sites Atlas website, Natural Resources Conservation Service's Web Soil Survey, and the Geologic Atlas of Texas.

The Texas Historical Sites Atlas indicates that there are no National Register Properties, Historical Markers, National Register Districts, or cemeteries located within the landfill tract. The Geological Atlas of Texas shows the area to be composed of windblown deposits, including clay dune and clay-sand dune deposits. The Web Soil Survey shows the soil composition as; 74% pits-quarry, 12% Clareville clay loam (0 to 1 percent slopes), 11% Colmena fine sandy

loam (0 to 1 percent slopes), while the remaining 3% consists of Premont fine sandy loam (0 to 3 percent slopes).

Based upon the previous THC determination that no survey is needed, the past and current land uses of the landfill, and the above information, it appears that the area has a low potential to impact archeological deposits within the tract. Please review the information provided and provide assistance in determining that the activity will have no effect to historical properties listed or eligible for listing on the National Register of Historic Places, and no effect on State Archeological Landmarks.

Thank you for your assistance in this matter. We would appreciate your written response to this request. Should you have any questions or comments, please do not hesitate to contact me at (361) 814-9900 or mkskoruppa@naismith-engineering.com.

Sincerely,



Mary Kay Skoruppa
Project Scientist V
Naismith Engineering, Inc.

Enclosures: Property Location Map
Aerial Photograph
Letter of 1997 review finding



CITY OF KINGSVILLE LANDFILL

PART II

ATTACHMENT 8

COUNCIL OF GOVERNMENTS

CORRESPONDENCE



Hanson Professional Services Inc.
4501 Gollihar Road
Corpus Christi, TX 78411
(361) 814-9900
Fax: (361) 814-4401
www.hanson-inc.com

September 12, 2018

Coastal Bend Council of Governments
2910 Leopard Street
Corpus Christi, TX 78408

Attn: John P. Buckner
Executive Director

Re: **Request for Project Review**
City of Kingsville Municipal Solid Waste Landfill, Kleberg County, Texas
Permit Amendment for Vertical and Lateral Expansion

Dear Mr. Buckner:

On behalf of the City of Kingsville, Hanson Professional Services Inc. has prepared a permit amendment application for a vertical and lateral expansion of the City of Kingsville Landfill (Kingsville Landfill). Kingsville Landfill is located southeast of the City of Kingsville, Texas. The entrance to the landfill is located on County Road 2130.

In accordance with 30 TAC §330.61(p)(10), enclosed is a hardcopy of Parts I and II of the City of Kingsville Landfill permit amendment application and a flash drive containing a complete electronic copy of the application submitted for review for compliance with regional waste plans.

On behalf of the City of Kingsville, we respectfully request a determination from the Coastal Bend Council of Governments that the proposed vertical and lateral expansion of the City of Kingsville Landfill is in compliance with the Regional Solid Waste Plan.

If you have any questions or require additional information, you may contact us at (361) 814-9900.

Sincerely,

HANSON PROFESSIONAL SERVICES INC.
(TBPE Firm No. F-417),

A handwritten signature in blue ink, appearing to read "Jon M. Reinhard", is written over a white background.

Jon M. Reinhard, P.E.
Project Engineer
(TBPE License No. 64541)

Enclosures: Parts I and II of the City of Kingsville Landfill Permit Amendment Application
Electronic Copy of the City of Kingsville Landfill Permit Amendment Application

\\Hanson.dom\dfs\drive\16jobs\16L0438\8514-City of Kingsville\8514-03\Permit Amendment\Part II\Correspondence\COG\COG Ltr
Hanson Ltrhd.docx

THE CITY OF KINGSVILLE LANDFILL
TCEQ PERMIT MSW 235-C

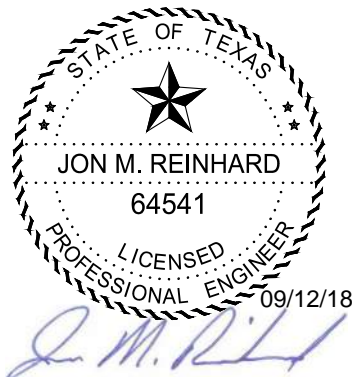
PERMIT AMENDMENT APPLICATION
PART III
SITE DEVELOPMENT PLAN



CITY OF KINGSVILLE, TEXAS

September 2018
Revision 0

Prepared by



HANSON PROJECT NO. 16L0438-000

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ATTACHMENT 2 - FILL CROSS-SECTIONS
ATTACHMENT 3 - WASTE MANAGEMENT UNIT DESIGN DRAWINGS
ATTACHMENT 4 - GEOLOGY REPORT
ATTACHMENT 5 - ALTERNATIVE LINER AND OVERLINER POINT OF COMPLIANCE DEMONSTRATIONS
ATTACHMENT 6 - FACILITY SURFACE WATER DRAINAGE REPORT
ATTACHMENT 7 - LANDFILL COMPLETION PLAN
ATTACHMENT 8 - COST ESTIMATES FOR CLOSURE AND POST CLOSURE
ATTACHMENT 9 - FINANCIAL ASSURANCE
ATTACHMENT 10 - LINER QUALITY CONTROL PLAN
ATTACHMENT 11 - GROUNDWATER SAMPLING AND ANALYSIS PLAN
ATTACHMENT 12 - FINAL CLOSURE PLAN
ATTACHMENT 13 - POST-CLOSURE CARE PLAN
ATTACHMENT 14 - LANDFILL GAS MANAGEMENT PLAN
ATTACHMENT 15 - LEACHATE AND CONTAMINATED WATER MANAGEMENT PLAN

LIST OF TABLES

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I:\16jobs\16L0438\8514-City of Kingsville\8514-03\Permit Amendment\Part III\Part III - SDP.docx

1 SITE DEVELOPMENT PLAN §330.63(a)

This Site Development Plan (SDP) for the City of Kingsville Landfill (Kingsville Landfill) has been prepared in accordance with 30 TAC §330.63. This plan includes the criteria used in the selection and design of the landfill to provide for the safeguarding of the health, welfare, and physical property of the people and the environment. The SDP includes a discussion of the geology, soil conditions, drainage, land use, zoning, adequacy of access roads, and other considerations specific to this facility. It also contains the following attachments:

Attachments

Attachment 1	Site Layout Plans
Attachment 2	Fill Cross-Sections
Attachment 3	Waste Management Unit Design Drawings
Attachment 4	Geology Report
Attachment 5	Alternative Liner and Overliner Point of Compliance Demonstrations
Attachment 6	Facility Surface Water Drainage Report
Attachment 7	Landfill Completion Plan
Attachment 8	Cost Estimates for Closure and Post Closure
Attachment 9	Financial Assurance
Attachment 10	Liner Quality Control Plan
Attachment 11	Groundwater Sampling and Analysis Plan
Attachment 12	Final Closure Plan
Attachment 13	Post-Closure Care Plan
Attachment 14	Landfill Gas Management Plan
Attachment 15	Leachate and Contaminated Water Management Plan



2 SOLID WASTE DATA

The City of Kingsville Landfill serves residences and businesses within Kleberg County, Texas and the surrounding area. The City of Kingsville (City) currently owns and operates the landfill. The facility receives approximately 100.46 tons of solid waste per day, six days per week (313 days a year). The estimated population equivalent currently served by this landfill is 34,401 which provides a generation rate of 5.86 lbs/capita/day. See Part I, Section 1.4 Nature of Business and Solid Waste Data & Part II, Section 2 – Sources and Characteristics of Waste, Volume and Rate of Disposal for additional information regarding solid waste data.

The facility will continue to receive only residential and some commercial type wastes typical of what is generated by these sources, including household wastes, brush and yard wastes, and construction/demolition wastes, as described in Part II, Section 2 - Waste Acceptance Plan. No hazardous wastes, friable asbestos material, or polychlorinated biphenyls (PCBs) are accepted for disposal at Kingsville Landfill, see Part IV, Section 4.2 – Control of Prohibited Waste for additional information. Other special wastes are handled in accordance with 30 TAC §330.171. A detailed special waste acceptance plan is presented in the Site Operating Plan- Part IV.

3 GENERAL FACILITY DESIGN §330.63(b)

3.1 Facility Access §330.63(b)(1)

Access from Highway

The City of Kingsville Landfill is located east of Highway 77 and can be accessed directly from the highway through East County Road 2130 (E CR 2130). An alternate access route is through Farm to Market Road 1717 (FM 1717), to Farm to Market Road 2169 (FM 2169) and finally to the entrance on E CR 2130. Waste is received into the Facility through a single main entrance, a two-lane (24-foot wide) road. No roadway limitations exist on these landfill access routes other than the legal weight limit of 58,420 pounds.

All-Weather Access

The site entrance road from the E CR 2130 entrance to the landfill office and scales is constructed of asphalt. This roadway will be maintained for all-weather transit of waste disposal vehicles. The entrance road will be cleaned as necessary to minimize mud and trash accumulations and litter or other debris. An all-weather interior roadway to the active disposal area as well as perimeter roadways will be constructed of crushed stone.

Access Control

Public access to the site is controlled to prevent entry of livestock, to protect the public from exposure to potential health and safety hazards, and to discourage unauthorized access and/or illegal dumping of solid waste or hazardous materials. The City of Kingsville maintains a perimeter fence for access control to the site. Currently, an 8-foot tall galvanized wire perimeter fence is used for this purpose. Access to the site is also controlled by having a single entrance at the southeast corner of the facility. This entrance includes a steel gate that is kept locked when the site is not in operation. The location of the perimeter fence is depicted in Part III, Attachment 1, Site Layout Plans.

During operating hours, facility personnel regularly watch for unauthorized persons in the vicinity of the working face, at the site entrance, and any other areas of the site. Entry to the active portion of the site is restricted to designated personnel, approved waste haulers, and properly identified persons whose entrance is authorized by the Landfill Supervisor or his designee. The City of Kingsville reserves the right to deny access to the landfill to persons not demonstrating a legitimate purpose for visiting.

3.2 Waste Movement §330.63(b)(2)

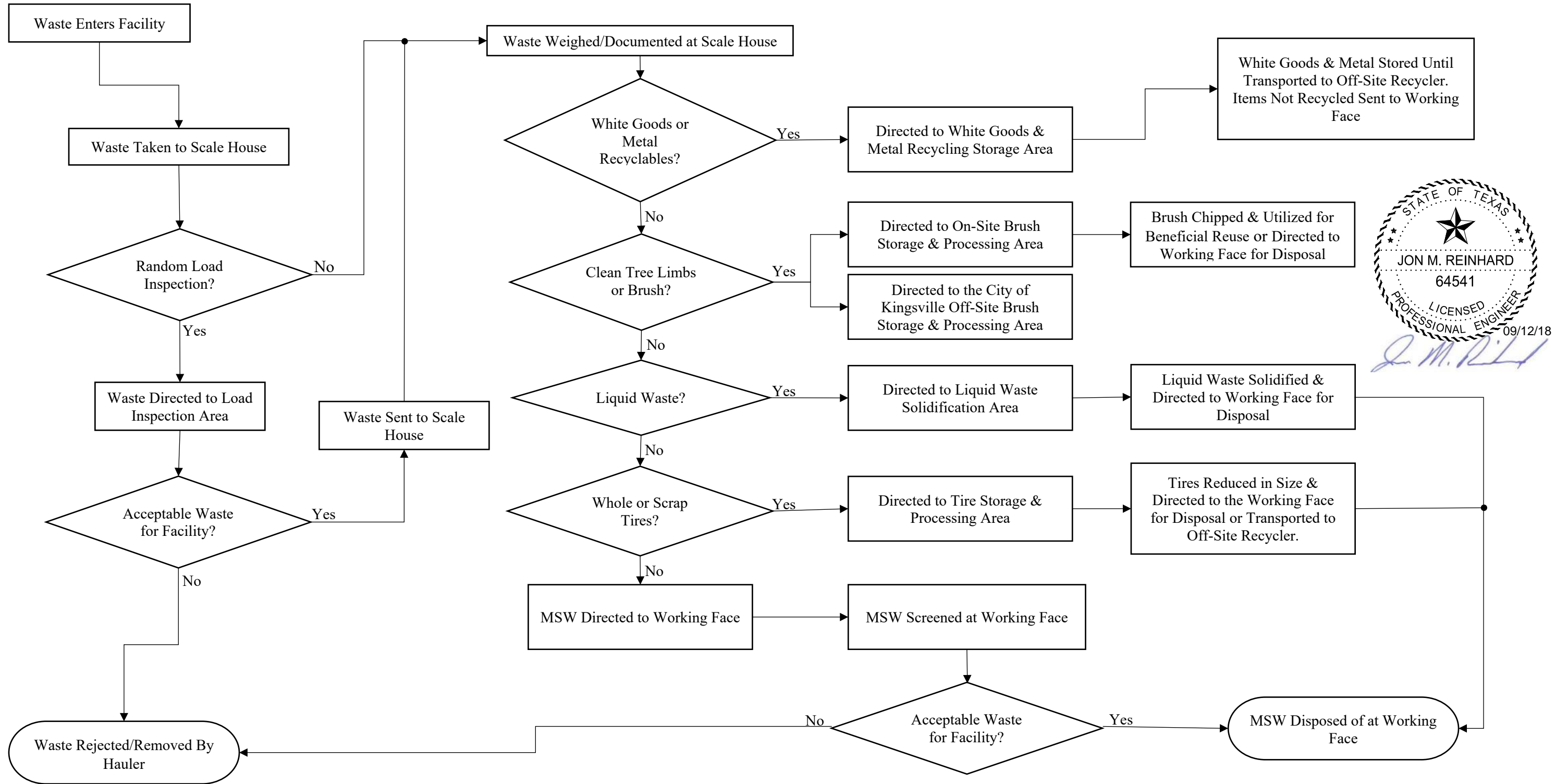
Waste is received at the scale house located approximately 1,200 feet from the main entrance on E CR 2130. Information signs concerning the landfill and its operations are posted at the entrance directing vehicles to the scale house where the attendant screens, weighs and documents the incoming waste. Based on the initial screening at the scale house, the waste is either;

- Accepted and sent to the working face for disposal.
- Accepted but selected for a random, more thorough inspection. The waste is directed to a screening area where it is inspected for discrepancies and prohibited waste. If any discrepancies or prohibited waste are observed, the waste is returned to the hauler. Otherwise, the waste is sent to the working face for disposal.
- Suspected to contain prohibited waste or exhibit a discrepancy. The waste is directed to a screening area where additional inspection will occur. If the discrepancy cannot be resolved, the load will be rejected.
- Rejected because the waste exhibits discrepancies or prohibited waste is observed.

3.2.1 Flow Diagrams

The waste movement flow diagram for the City of Kingsville Landfill is shown in Figure 1 below. The flow diagram provides a summary of the receipt, storage, processing, and disposal sequences for the waste received at the facility. Detailed waste acceptance procedures are presented in Part IV - Site Operating Plan.

FIGURE 1: WASTE MOVEMENT FLOW DIAGRAM



3.2.2 Ventilation and Odor Control Measures

Potential odor sources associated with a landfill can vary considerably and may include the wastes being delivered to the landfill, waste in the open working face, landfill gas, the leachate collection system, or ponded water. Some wastes such as sludge and dead animals are a source of odor upon receipt, while other wastes have the potential for becoming a source of odor by their biodegradable nature. Leachate, liquid that has passed through or emerged from solid waste, may also be a source of odor if not properly handled in a timely manner.

Landfill operation at the site will occur in open areas within the permitted waste disposal footprint, therefore adequate ventilation will be provided. Landfill operators will ensure that odors are kept to a minimum by keeping the size of the working face area to a minimum, identifying any waste streams that require special attention to control odor, proper handling and disposal of leachate in a timely manner, and preventing ponded water. These and other odor control measures are discussed in detail in Part IV – Site Operating Plan.

The site will comply with all the applicable air quality rules and regulations. Accidental fires will be controlled, and open burning of waste will not be permitted.

3.2.3 Generalized Construction

Generalized construction details for the landfill are included in Part III, Attachments 1 through 3. Design and operation requirements for the Liquid Waste Solidification Facility are included in Part IV- SOP. Details of the leachate management system are included in Part III, Attachment 15.

3.3 Sanitation and Water Pollution Control §330.63(b)(3) – (4)

The white goods and metal recycling area and the tire storage and processing area contains waste handling and storage operations but there is no process wastewater produced at these areas or other operations of the landfill. The areas will be built up with an all-weather surface that is graded to minimize surface water running into the storage area. The areas will be bermed to contain runoff. If runoff is determined to be contaminated it will be collected and transported to the contaminated water evaporation pond or the contaminated water management area.

3.4 Endangered Species Protection §330.63(b)(5)

A literature review of threatened or endangered species in Kleberg County was conducted as discussed in Part II, Section 14. The review included both US Fish and Wildlife (USFWS) and Texas Parks and Wildlife Department documentation and their requirements for endangered species assessment and compliance. No potential habitat for federally listed threatened or endangered species or designated critical habitat occurs within the permit area, or the property. And no federally listed threatened or endangered species have been observed on the property. Neither the facility nor its operations will result in the destruction or adverse modification of the critical habitat of threatened or endangered species. If endangered species are encountered during site operations, USFWS and TPWD will be notified.

4 FACILITY SURFACE WATER DRAINAGE REPORT §330.63(c)

4.1 General

In accordance with 30 TAC §330.63(c), the City of Kingsville Landfill surface water drainage design information is included in Attachment 6 – Facility Surface Water Drainage Report (FSWDR). The plan discusses the details and control mechanisms to handle run-on and run-off flows expected to occur at the site. The plan is based on the 25 year 24 hour storm event per §330.63 and includes analyses of the current permitted (pre-development) conditions, post-development conditions, as well as final cover drainage facilities, perimeter drainage channels, detention and sediment ponds, and the erosion and sediment control plan for all phases of the landfill development. This information is presented in a narrative discussion, drawings, and calculations that demonstrate how the facility was designed to meet the drainage and flood control requirements of §330.63(c), §330.303, §330.305, and §330.307.

4.2 Discharge of Pollutants

No discharge of solid wastes or pollutants adjacent to or into the water in the State, including wetlands, that is in violation of the requirements of the Texas Water Code shall be allowed. No discharge of pollutants into waters of the United States, including wetlands, that violates any requirements of the Clean Water Act shall be allowed.

4.3 Run-on Control

During the development of the landfill, diversion berms will be constructed to prevent stormwater from running onto the active portion of the landfill. These berms will be constructed to contain the peak discharge from a 25-year, 24-hour storm event. This is discussed further in Part III, Attachment 6 - FSWDR.

4.4 Run-off Control

Run-off control will be provided by the construction of diversion berms, channels, and containment areas. These structures will be constructed to contain the peak discharge from the 25-year, 24-hour storm event, and will prevent the discharge of solid wastes or pollutants into adjacent watercourses, wetlands or waters of the state. This is discussed further in Part III, Attachment 6 - FSWDR.

4.5 Drainage Structures

Drainage controls are incorporated into the site to reduce flooding and minimize the amount of sediment carried off the site and discharged into adjacent lands and water bodies. Drainage controls include perimeter ditches, culverts, downchutes, berms and swales. Drainage controls are shown in Part III, Attachment 6 - FSWDR.

4.6 Drainage Calculations

Times of concentration, drainage areas, and runoff coefficients were developed from the proposed final grading plans. All drainage calculations are provided in Part III, Attachment 6-FSWDR. Both pre-development and post-development calculations are provided to verify that existing drainage patterns will not be significantly altered by development of the landfill.

4.7 Erosion Controls

Temporary and permanent erosion controls for the facility will consist of silt fences, diversion berms and vegetation. These erosion controls have been designed to lower storm water runoff velocities, keep soil erosion losses below permissible levels and provide long-term, low maintenance and stable features for the final cover. The location of temporary erosion controls will vary depending on the landfilling progress. Permanent erosion control features include design of perimeter channels for non-erodible velocities. In areas where erosion has been anticipated, erosion protection of the channel in the form of interlocking concrete block revetments or geosynthetic reinforcements is provided. Permanent features in the final cover design are drainage swales, berms and chutes. Establishment of vegetation on the final cover, perimeter drainage channels and buffer zones will be provided upon completion of an area. The Erosion and Sedimentation Control Plan is provided in Part III, Attachment 6 - FSWDR.

4.8 Contaminated Water

A Leachate and Contaminated Water Management Plan (LCWMP) has been prepared to include the procedures for handling any leachate and contaminated water that may be generated as a result of surface water coming into contact with exposed waste or leachate. Appropriately sized berms will be constructed within the waste cell to prevent surface water from coming into contact with the waste. These berms will be relocated as cell development progresses. The plan addresses the leachate collection system, storage facilities, routing system, calculations, and handling procedures. The plan has been prepared in accordance with Subchapter H Part §330.331 through §330.341 of the TCEQ regulations. The plan is presented in Part III, Attachment 15 - LCWMP.

4.9 Flood Control

A floodplain analysis has been completed for the proposed expansion of the City of Kingsville Landfill. The analysis included a review of the effective FEMA FIRM. Based on this review, the fill footprint for the facility is not within the 100-year floodplain as shown in Part II, Attachment I, Figure II.1-5. This is further discussed in Part II, Section 13.1 and also in Part III, Attachment 6- FSWDR.

5 WASTE MANAGEMENT UNIT DESIGN §330.63(d)

5.1 All-Weather Operation

The entrance to the facility is located on E CR 2130 approximately 2,400 feet east of the Intersection with FM 2619. The site entrance road is a 24-foot wide, above-grade, all-weather roadway that extends from E CR 2130 to the gate house, approximately 1,200-feet. The roadway is being shifted slightly to the east as a part of this permit amendment to accommodate additional stormwater controls, but will be reconstructed in its new location as a 24-foot wide, above grade asphalt surfaced roadway. Landfill perimeter roads and interior access roads will be constructed of crushed stone, gravel, or other suitable material and will provide access from the entrance road to the fill areas. These roads will be graded and compacted on an as needed basis to provide a smooth, firm surface for all weather operations. Any mud that accumulates on the roads will be removed on a regular basis by graders to minimize tracking of mud onto public roads.

No permanent, separate wet weather areas are proposed for this site. Wet weather areas will generally be reserved and located within permitted fill areas adjacent to paved or all-weather surface roadways, and used for waste placement as necessary when access to the planned fill area is interrupted. Roads will be graded for proper drainage to minimize rutting and soft spots. Roadside ditches or culverts will be installed and maintained as necessary.

5.2 Landfill Methods

The proposed landfill development method for the site will consist of area-excavation fill followed by area fill to the proposed landfill completion height. Waste disposal operations will be delineated by individual sectors as shown in Part III, Attachment 1. The previously authorized minimum buffer zones will be maintained between the limit of waste and the permit boundaries in previously permitted airspace. A minimum 125-foot buffer zone will be maintained from the points of vertical and lateral expansion to the permit boundary.

The landfill drawings depicting existing site conditions, elevation of deepest excavation (22.5' msl), maximum waste elevation (196.92' msl), maximum final cover elevation (200.00' msl), sector fill layout, sector sections, sequence of development, site contour maps, and landfill completion plans are included in Part III, Attachment 1. The slopes and elevations indicated on these attachments indicate solid waste may be placed within each sector with a maximum above grade side slope of 4:1 and a maximum below grade side slope of 3:1. Should a change in the approved development or fill sequence of the site become necessary, a request for such a change or modification to the permit shall be submitted to TCEQ for approval in accordance with applicable rules and regulations.

5.3 Estimated Rate of Solid Waste Deposition

The current permitted disposal capacity of the Kingsville Landfill is approximately 5,813,000 cubic yards of air space in Permit 235-B, with a remaining disposal capacity of 3,043,714 as of the 2017 annual report. This Permit Amendment Application proposes revisions to the facility design, resulting in a disposal facility with a total permitted disposal capacity of approximately 17,994,286 cubic yards that includes solid waste and daily cover material, not to exceed the maximum waste disposal elevations shown in Part III, Attachment 1, Figure III.1-4. Upon the approval of the Permit Amendment the total remaining disposal capacity is approximately 15,225,000 cubic yards or 6,295,538 tons.

Landfill life is sensitive to fluctuations in waste types and volumes received and operational factors which influence the refuse-to-cover ratio and compaction factors actually achieved. The following site life calculated beginning with a 2017 waste deposit rate of 31,444 tons per year, which increases 1.00% with the population as reflected in the traffic projections. These projections result in an annualized growth in waste deposited at the facility of approximately 1.00% and an annual rate of 54,547 tons/year, averaged over the life of the site. Based on an estimated daily cover volume of 15%, the site life is estimated to be 98 years as shown in Table 1.

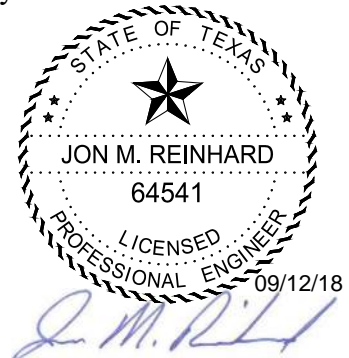


TABLE 1: SITE LIFE CALCULATIONS

Total Remaining Disposal Capacity (tons)	Estimated Daily Cover Volume (15%) (tons)	Estimated Waste Disposal Capacity (tons)	Average Annual Waste Disposal Volume (tons)	Estimated Site Life
6,295,538	944,331	5,351,207	54,547	98.10

5.4 Liner Quality Control Plan

A Liner Quality Control Plan (LQCP) has been prepared in accordance with Subchapter H of the TCEQ regulations. The LQCP describes the procedures and methodology for assuring compliance with TCEQ rules and regulations regarding liner construction and is applicable to the construction of all landfill liner systems at the City of Kingsville Landfill as designed and specified in this permit. The LQCP shall govern the material characteristics, installation and testing for the various construction components for the landfill liners at the facility including the leachate collection system components. Qualifications for quality control personnel are also identified in this LQCP. The complete details for the LQCP are presented in Part III, Attachment 10.

6 GEOLOGY REPORT §330.63(e)

A geology report has been prepared in accordance with Subchapter J, Parts §330.401 through §330.421 of the TCEQ regulations. The geology report describes the regional geology, geologic processes active in the vicinity of the facility, regional aquifers, results of investigations of subsurface conditions and geotechnical data that describes the geotechnical properties of the subsurface soil materials. The geology report includes previous geological data, investigations and reports from previous permits and permit amendments that is relative the current permit amendment. The Geology Report is presented in Part III, Attachment 4.

7 GROUNDWATER SAMPLING AND ANALYSIS PLAN §330.63(f)

A Groundwater Sampling and Analysis Plan (GWSAP) has been prepared in accordance with Subchapter J, Parts 330.401 through 330.421 of the TCEQ regulations. The GWSAP describes the procedures and methodology to monitor and collect ground water samples. The GWSAP also includes the testing frequency, establishment of background data, and statistical method to evaluate analytical results. The GWSAP details information regarding the plugging and abandonment of certain existing groundwater monitoring wells and the installation of certain new wells. The referenced P&A and new installation activities will be completed within six months of approval of the permit. The complete details for the GWSAP are presented in Part III, Attachment 11.

8 LANDFILL GAS MANAGEMENT PLAN §330.63(g)

A Landfill Gas Management Plan (LGMP) has been prepared in accordance with Subchapter I, Parts 330.371 of the TCEQ regulations. The LGMP describes the procedures and methodology to monitor and control landfill gas. The LGMP details information regarding the plugging and abandonment of certain existing landfill gas monitoring probes and the installation of certain new probes. The referenced P&A and new installation activities will be completed within six months of approval of the permit. The complete details for the LGMP are presented in Part III, Attachment 14.

9 CLOSURE PLAN §330.63(h)

Part III, Attachment 12 - Final Closure Plan contains the details of the final cover design, which has been developed to comply with Subchapter K, §330.501 through 330.505 of the TCEQ regulations. A composite cover will be constructed over the entire landfill. The composite cover will overlay a 12-inch thick intermediate cover layer immediately above the top of waste. The composite cover will consist of, from bottom to top, a geosynthetic clay liner (GCL), a 40-mil flexible membrane cover, a drainage geocomposite, and a 25-inch thick protective soil erosion layer. The Alternative Liner and Overliner Point of Compliance Demonstrations found in Part III, Attachment 5 includes a demonstration that the GCL material proposed in the final cover design is acceptable.

The initial and primary vegetative cover for the site will include appropriate native grasses. Typical types of grasses include Coastal Bermuda, Buffalo Grass, Texas Grama, Bluestem and Johnson Grass. Winter Rye and Fescue may be used in the cool seasons. The Kleberg County Extension Agent may also be consulted on the use of appropriate grasses and the appropriate planting seasons as cover projects are initiated. The maintenance of grass cover over completed areas is an essential component of erosion control in post closure care.

A demonstration that this specified final cover design will provide effective long term erosional stability is included in Part III, Attachment 6 - FSWDR.

10 POST-CLOSURE CARE PLAN §330.63(i)

Part III, Attachment 13 - Post Closure Care Plan contains the details of the post closure care, which has been developed to comply with Subchapter K, §330.501 and §330.507 of the TCEQ regulations.

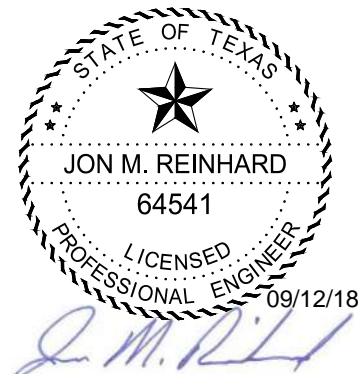
11 CLOSURE AND POST-CLOSURE CARE COST ESTIMATE §330.63(j)

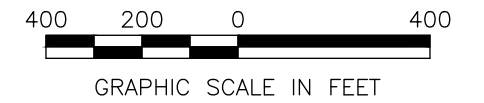
Part III, Attachment 8 – Cost Estimate for Closure and Post Closure contains the cost estimates for closure and post closure care, which has been developed to comply with Subchapter L, §330.501 through 330.507 of the TCEQ regulations.

12 FINANCIAL ASSURANCE §330.63(j)

Part III, Attachment 9 – Financial Assurance contains a copy of the documentation demonstrating financial assurance for the existing Kingsville Landfill authorized under TCEQ Permit No. 235-B, to comply with Chapter 37, Subchapter R, §37.8001 through §37.8071 of the TCEQ regulations.

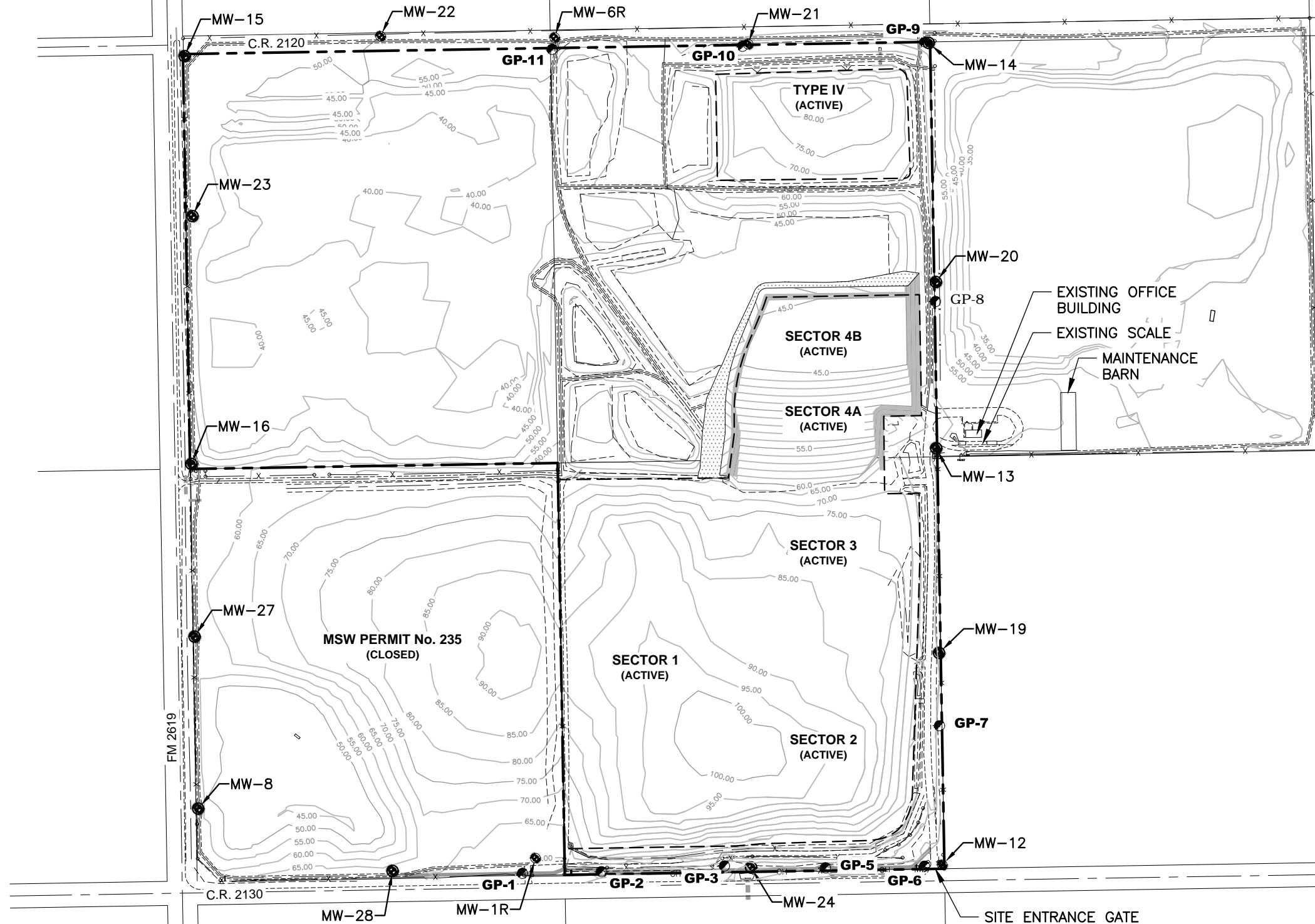
CITY OF KINGSVILLE LANDFILL
PART III
ATTACHMENT 1
SITE LAYOUT PLANS





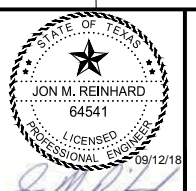
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- GP-8 GAS PROBE LOCATION
- x — EXISTING FENCE
- 65.00 — EXISTING SURFACE CONTOUR (2015)
- - - - EXISTING WASTE LIMITS
- - - - PERMIT BOUNDARY (120 ACRES)



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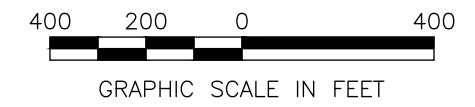
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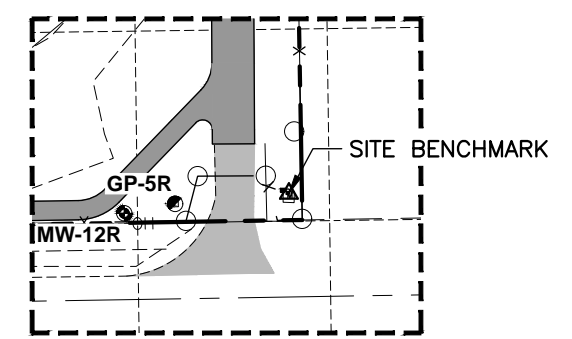
**PART III, ATTACHMENT 1
 SITE PLAN - CURRENT CONDITIONS
 CITY OF KINGSVILLE LANDFILL**
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

**FIGURE:
 III.1-1**

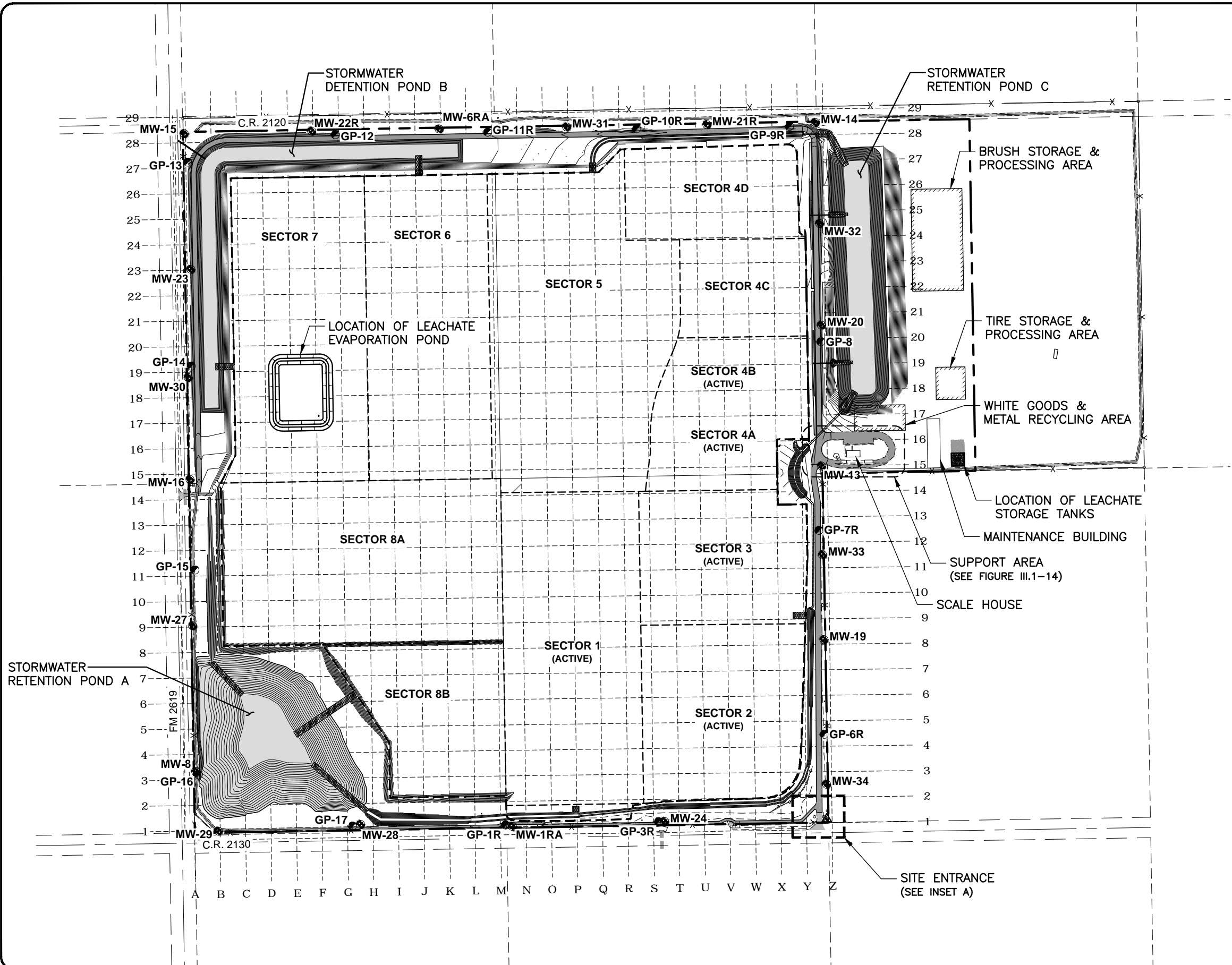


LEGEND:

- MW-20 MONITOR WELL LOCATION
- GP-8 GAS PROBE LOCATION
- EXISTING FENCE CORNER
- x — EXISTING FENCE
- - - EXISTING PROPERTY BOUNDARY
- - - EXISTING ROAD
- - - PERMIT BOUNDARY LIMITS
- - - PROPOSED ROAD
- - - PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS
- - - PROPOSED LIMITS OF WASTE/WASTE FOOTPRINT

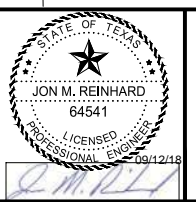


INSET A



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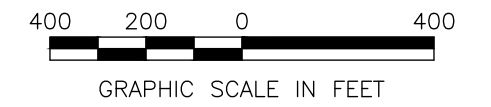
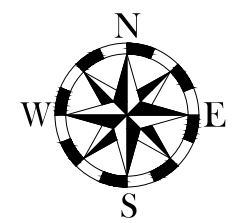
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**PART III, ATTACHMENT 1
 FACILITY LAYOUT
 CITY OF KINGSVILLE LANDFILL**
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 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

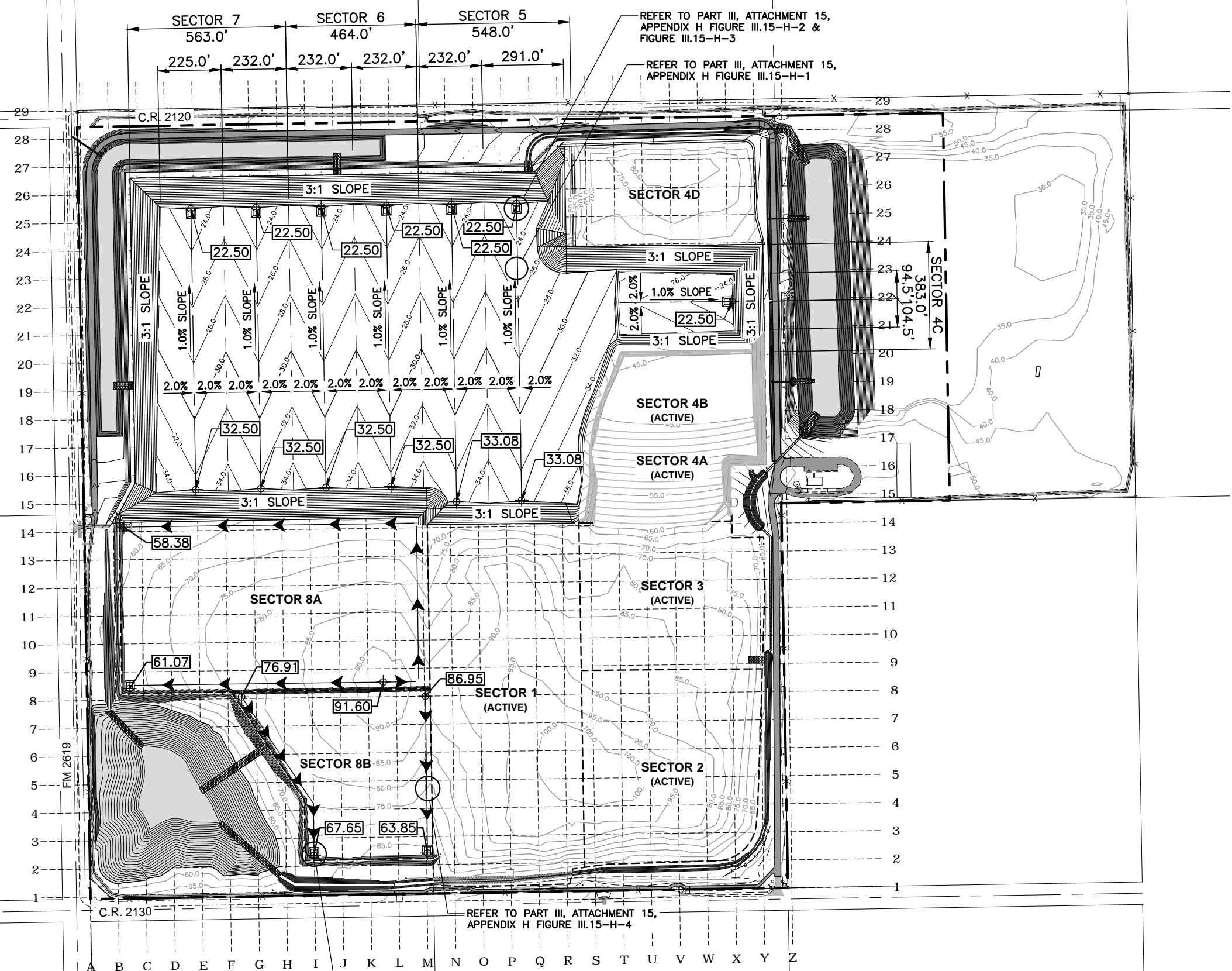
**FIGURE:
 III.1-2**

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LEGEND:

- EXISTING FENCE CORNER
- EXISTING FENCE
- EXISTING CONTOUR
- EXISTING ROAD
- PERMIT BOUNDARY LIMITS
- BASE OF EXCAVATION CONTOURS
- BASE OF EXCAVATION ELEVATION
- PROPOSED ROAD
- PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS
- LEACHATE COLLECTION TRENCH DIRECTION OF FLOW



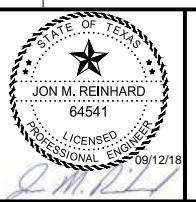
REFER TO PART III, ATTACHMENT 15, APPENDIX H FIGURE III.15-H-2 & FIGURE III.15-H-3

REFER TO PART III, ATTACHMENT 15, APPENDIX H FIGURE III.15-H-1

REFER TO PART III, ATTACHMENT 15, APPENDIX H FIGURE III.15-H-4

REFER TO PART III, ATTACHMENT 15, APPENDIX H FIGURE III.15-H-4

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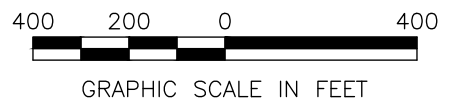
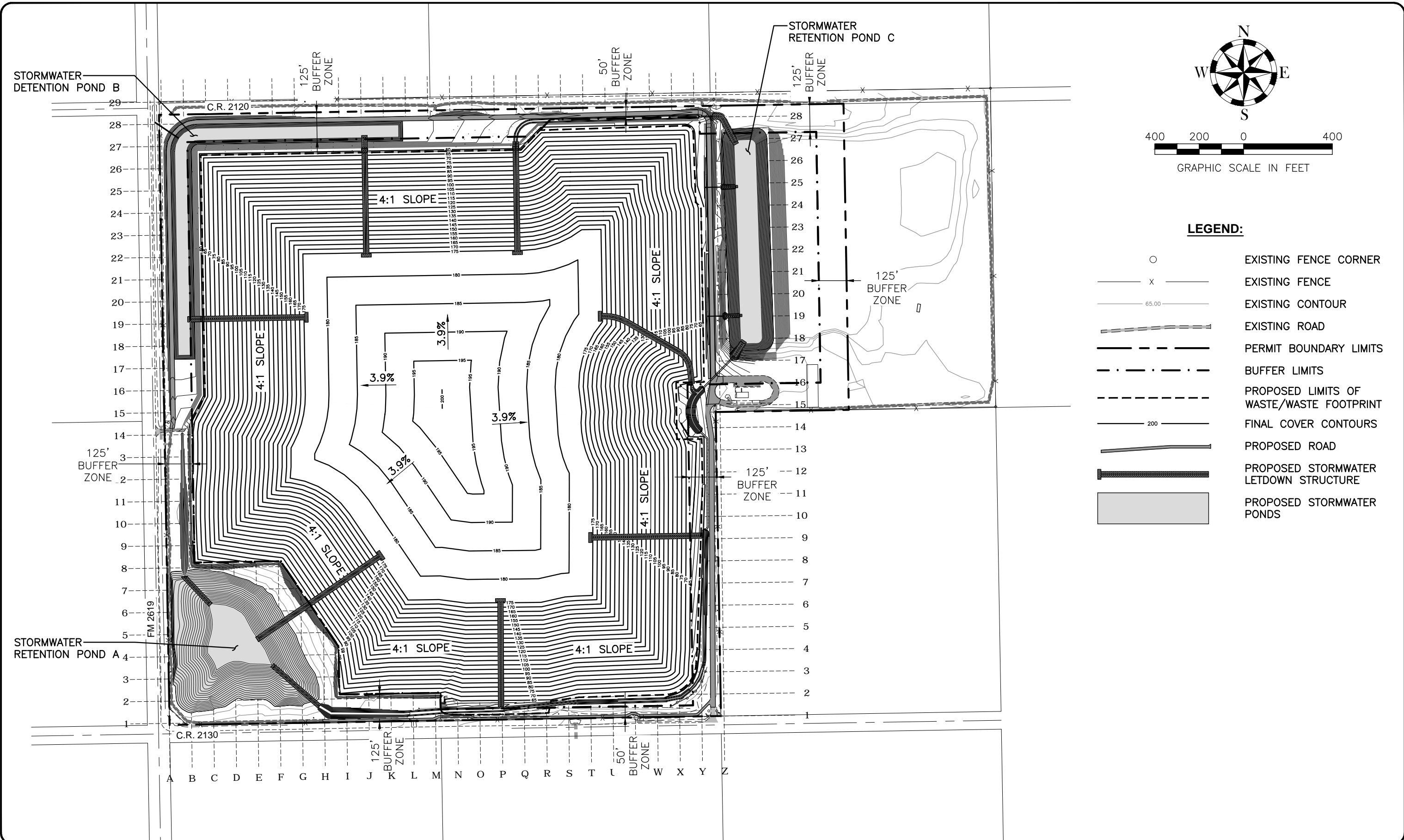
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PART III, ATTACHMENT 1
LANDFILL EXCAVATION PLAN
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KLEBERG COUNTY, TEXAS

FIGURE:
III.1-3

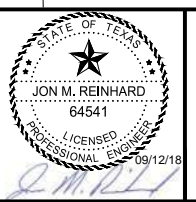
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LEGEND:

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- 65.00 — EXISTING CONTOUR
- — — EXISTING ROAD
- — — PERMIT BOUNDARY LIMITS
- · - · - · - BUFFER LIMITS
- - - - - PROPOSED LIMITS OF WASTE/WASTE FOOTPRINT
- 200 — FINAL COVER CONTOURS
- — — PROPOSED ROAD
- ▬▬▬▬▬ PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS

NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



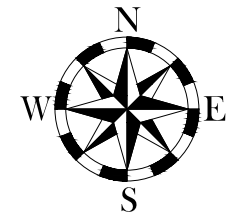
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**PART III, ATTACHMENT 1
 LANDFILL COMPLETION PLAN
 CITY OF KINGSVILLE LANDFILL**
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

**FIGURE:
 III.1-4**



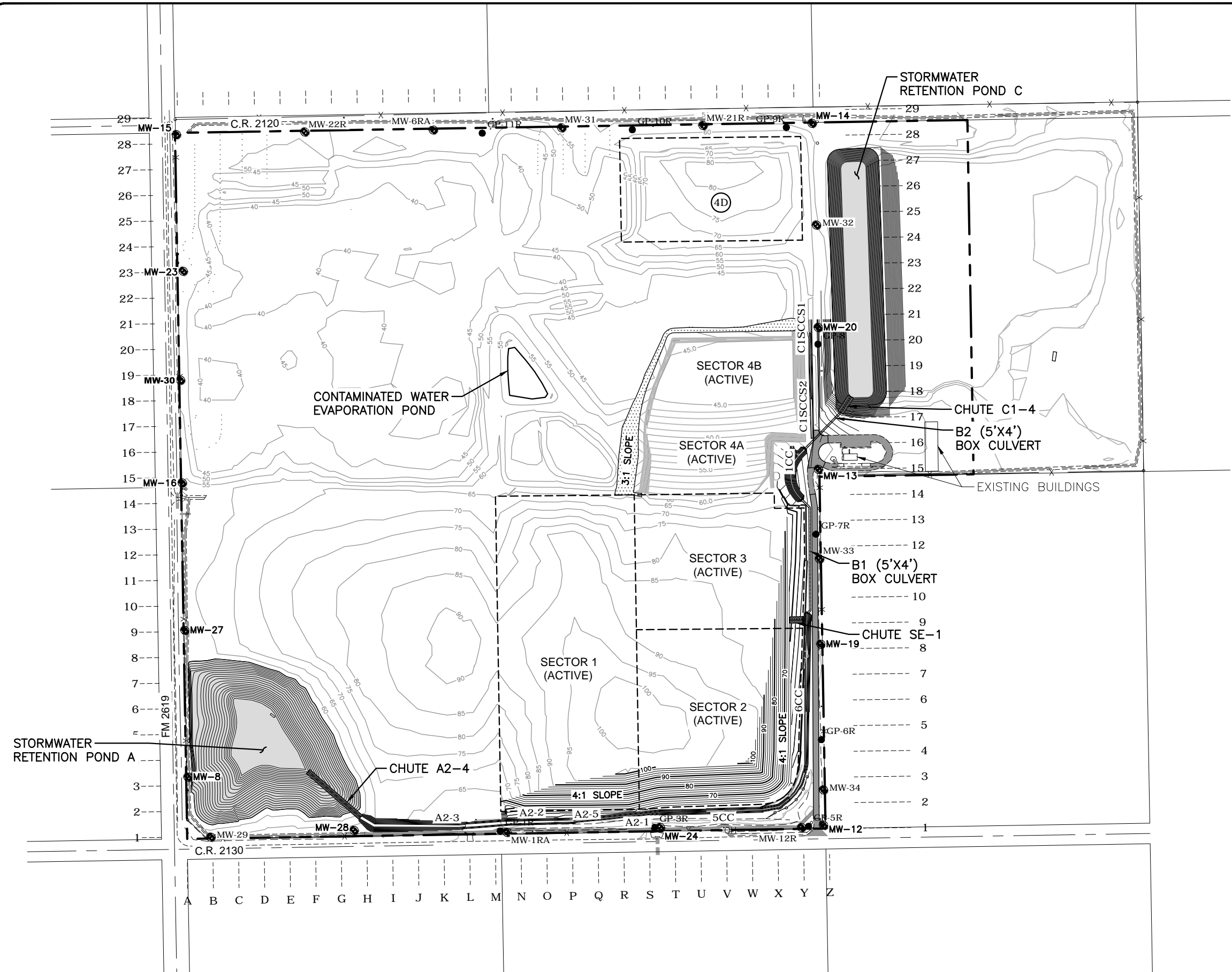
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- - - - - PERMIT BOUNDARY LIMITS
- 200 — FINAL COVER CONTOURS
- — PROPOSED ROAD
- ▬▬▬▬▬ PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS
- ▨▨▨▨▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▤▤▤▤▤ PROPOSED 3:1 SIDE SLOPE
- ④A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL

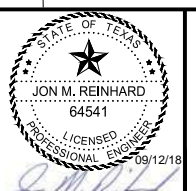
NOTE:

1. STORMWATER MANAGEMENT FEATURES SHALL BE CONSTRUCTED WITHIN 6 MONTHS OF PERMIT APPROVAL INCLUDING POND A, POND C, AND THEIR ASSOCIATED DITCHES AND CULVERTS.
2. ENTRANCE ROAD IMPROVEMENTS TO BE CONSTRUCTED WITHIN 6 MONTHS OF PERMIT APPROVAL.
3. GROUNDWATER MONITORING SYSTEM IMPROVEMENTS SHALL BE COMPLETED WITHIN 6 MONTHS OF PERMIT APPROVAL.
4. EXISTING LANDFILL GAS PROBES THAT ARE TO BE REPLACED WILL BE INSTALLED WITHIN 6 MONTHS OF PERMIT APPROVAL. FUTURE GAS PROBE INSTALLATIONS WILL BE IN ACCORDANCE WITH THE SCHEDULE IN PART III, ATTACHMENT 14 LANDFILL GAS MANAGEMENT PLAN.



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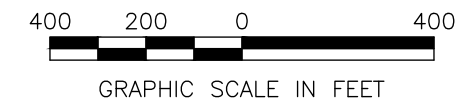
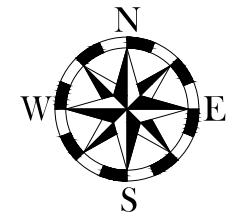
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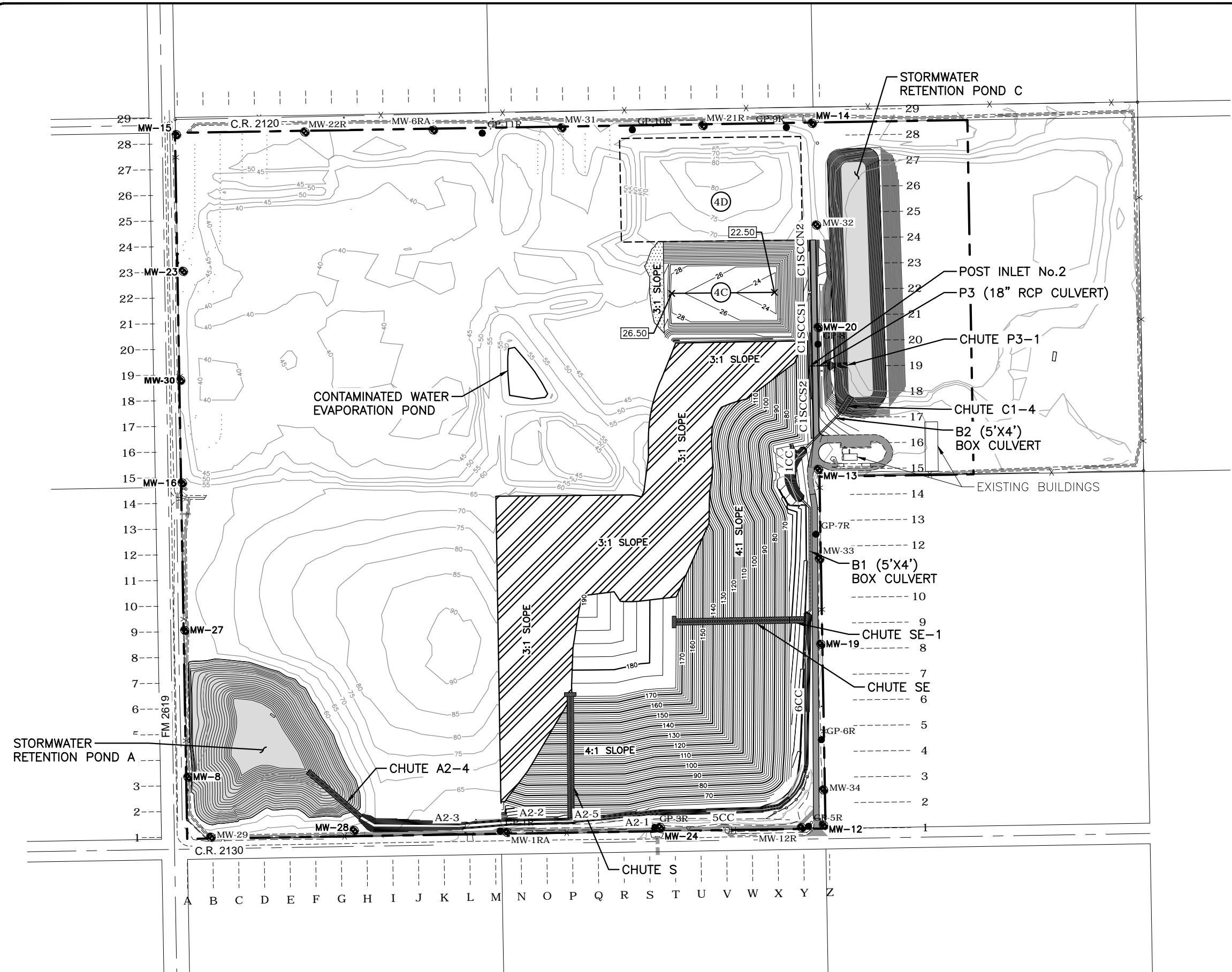
PART III, ATTACHMENT 1
LANDFILL SEQUENCING PLAN 1
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FIGURE:
III.1-5



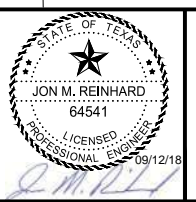
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- X — EXISTING FENCE
- 65.00 — EXISTING CONTOUR
- - - - - EXISTING ROAD
- - - - - PERMIT BOUNDARY LIMITS
- - - - - FINAL COVER CONTOURS
- PROPOSED ROAD
- ▨ PROPOSED STORMWATER LETDOWN STRUCTURE
- ▨ PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▨ PROPOSED 3:1 SIDE SLOPE
- ④A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL



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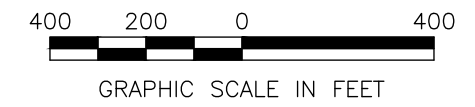
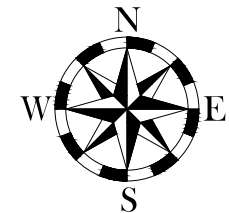
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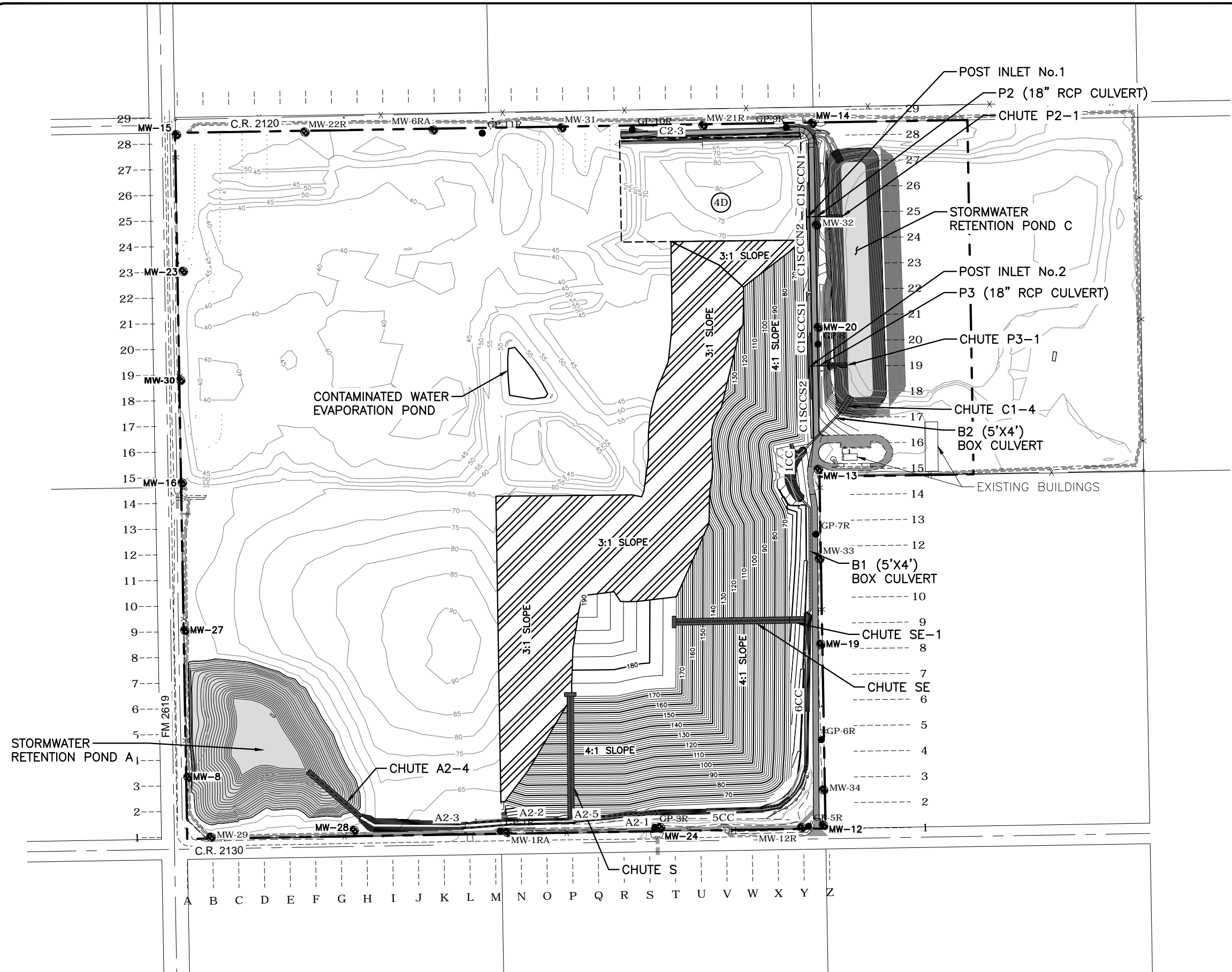
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 LANDFILL SEQUENCING PLAN 2
 CITY OF KINGSVILLE LANDFILL**
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**FIGURE:
 III.1-6**



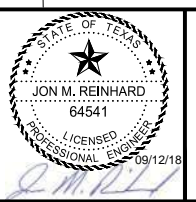
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- ▨ PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▨ PROPOSED 3:1 SIDE SLOPE
- ④A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL



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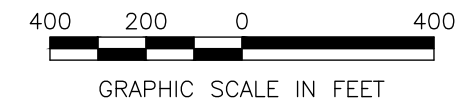
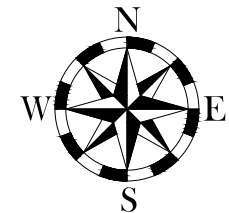
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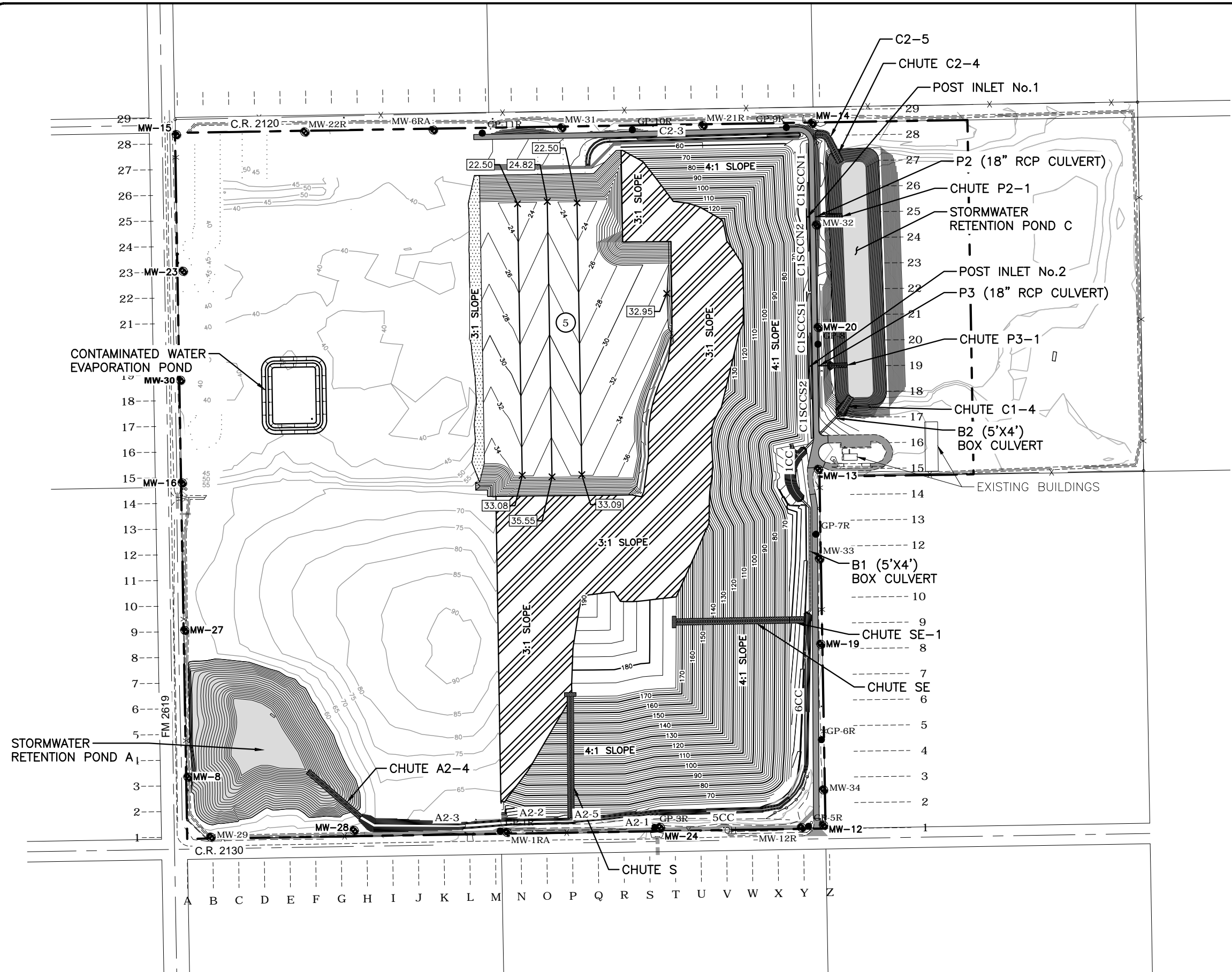
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**FIGURE:
III.1-7**



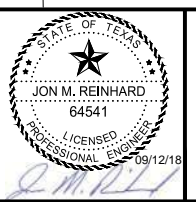
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- ▨ PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▨ PROPOSED 3:1 SIDE SLOPE
- ④ 4A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL



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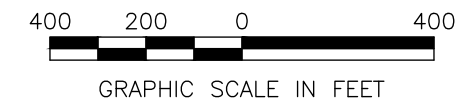
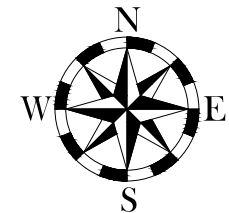
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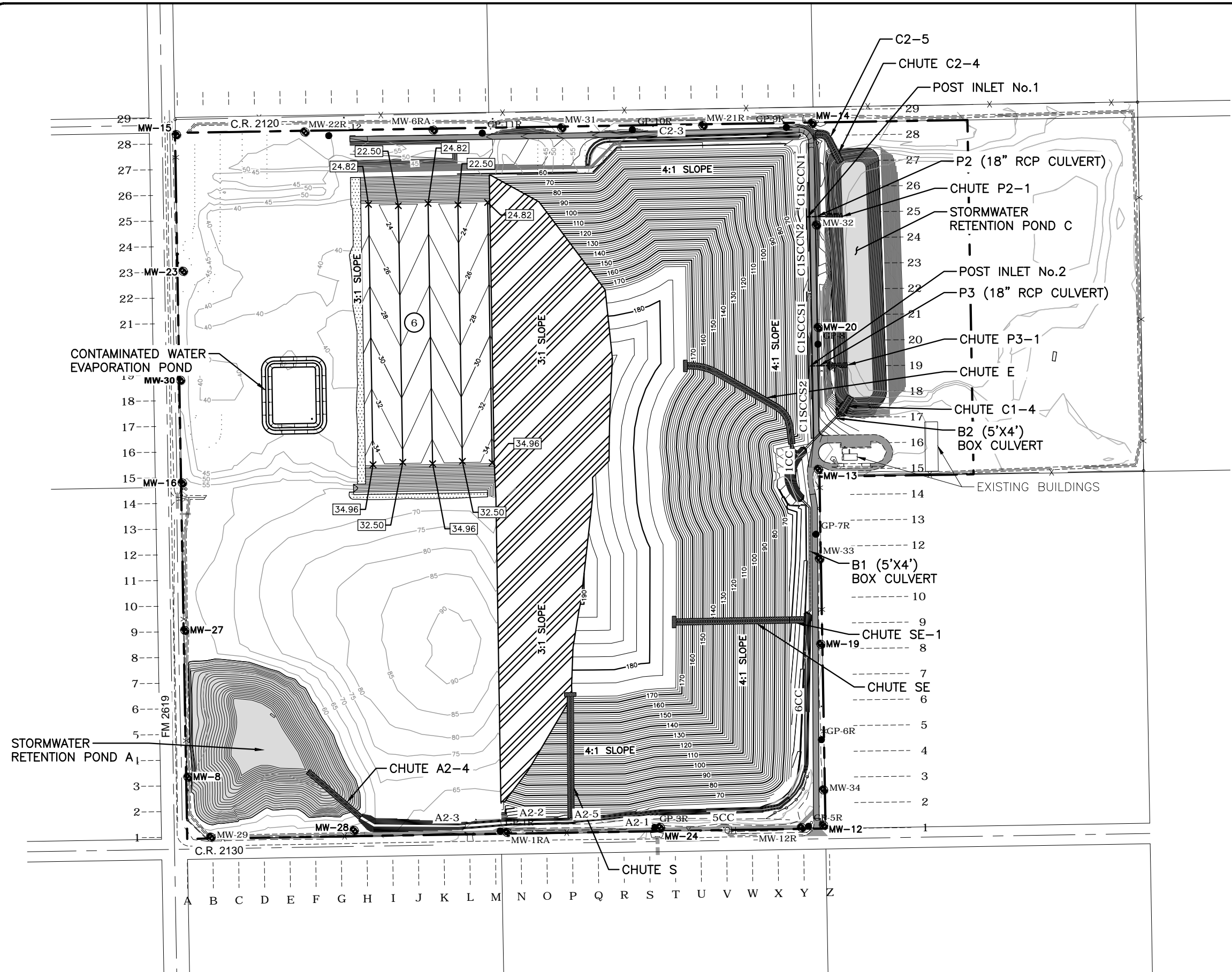
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 LANDFILL SEQUENCING PLAN 4
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**FIGURE:
 III.1-8**



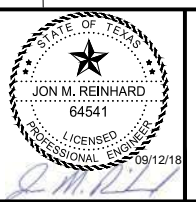
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- - - - - PERMIT BOUNDARY LIMITS
- - - - - FINAL COVER CONTOURS
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- ▨ PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▨ PROPOSED 3:1 SIDE SLOPE
- ④ 4A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL



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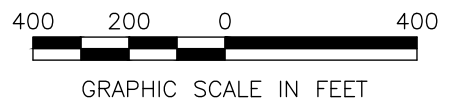
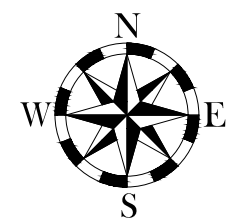
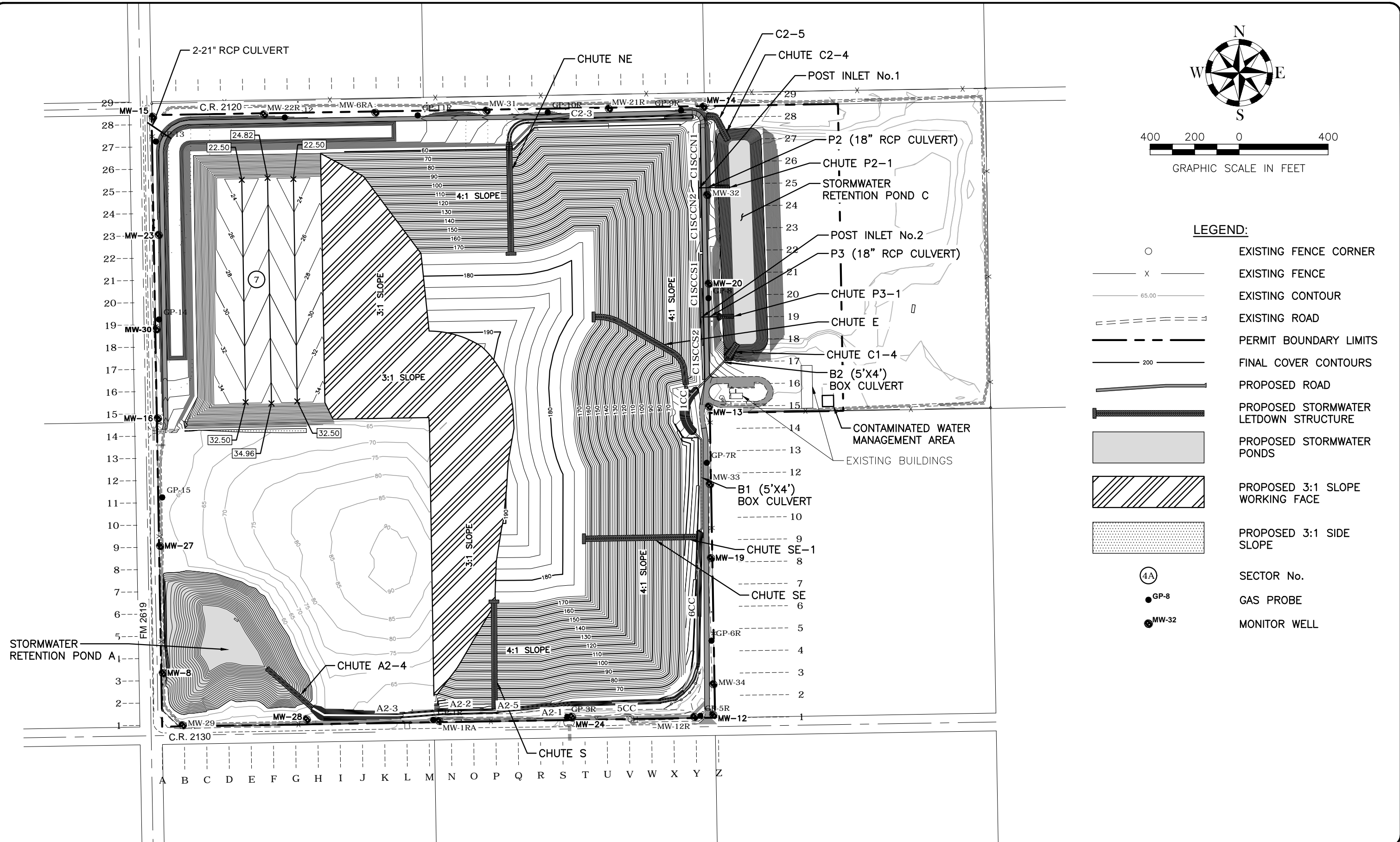
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 LANDFILL SEQUENCING PLAN 5
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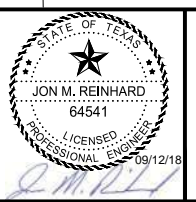
**FIGURE:
 III.1-9**

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 - - - - - EXISTING ROAD
 - - - - - PERMIT BOUNDARY LIMITS
 - 200 — FINAL COVER CONTOURS
 - — PROPOSED ROAD
 - ▨ PROPOSED STORMWATER LETDOWN STRUCTURE
 - PROPOSED STORMWATER PONDS
 - ▨ PROPOSED 3:1 SLOPE WORKING FACE
 - ▨ PROPOSED 3:1 SIDE SLOPE
 - ④ 4A SECTOR No.
 - GP-8 GAS PROBE
 - MW-32 MONITOR WELL

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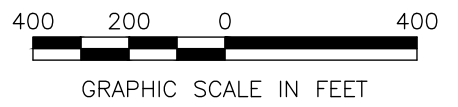
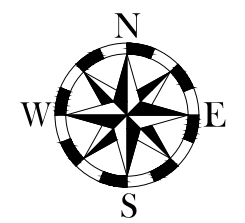
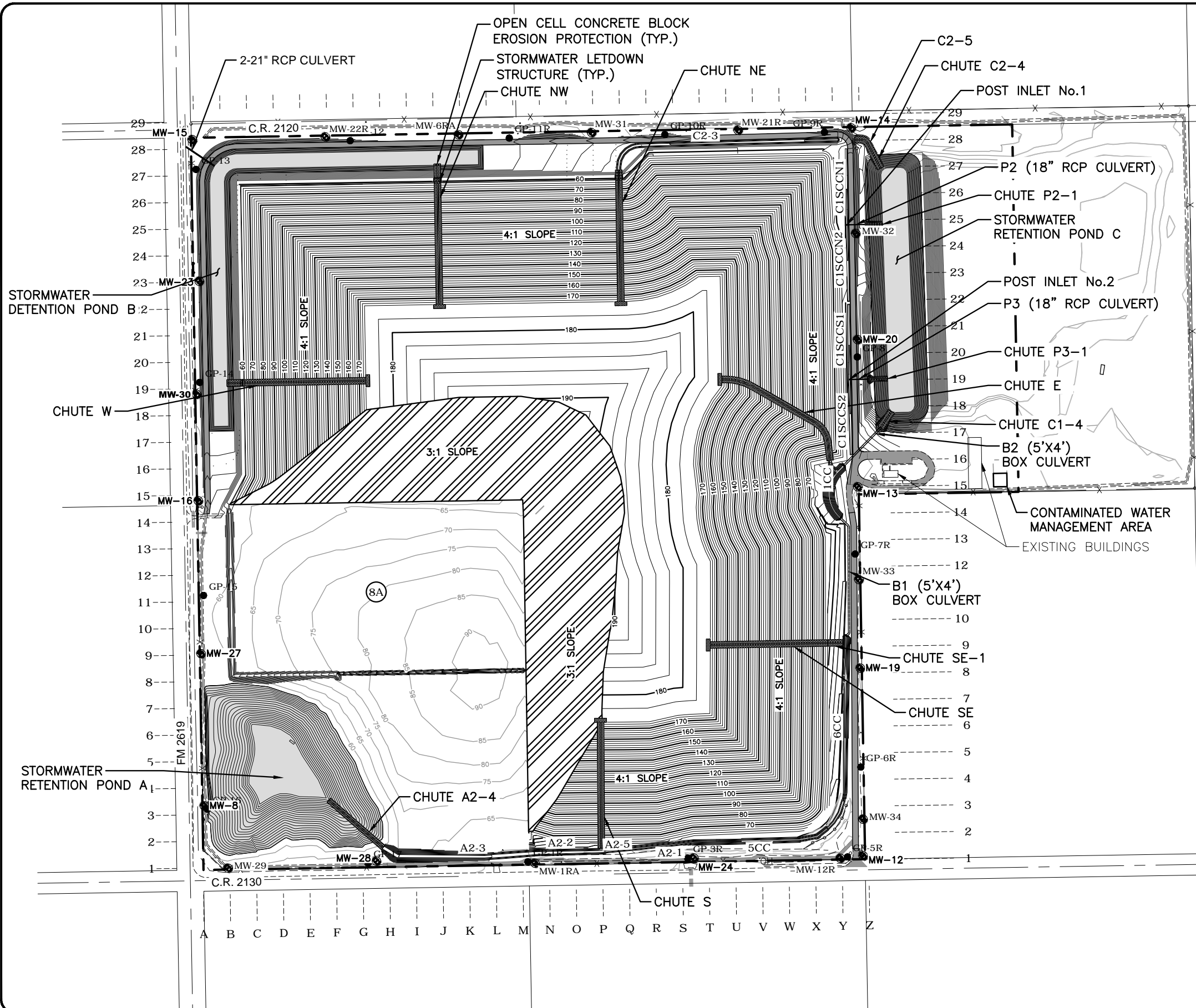
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**PART III, ATTACHMENT 1
LANDFILL SEQUENCING PLAN 6
CITY OF KINGSVILLE LANDFILL**

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**FIGURE:
III.1-10**

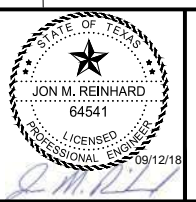
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LEGEND:

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- 65.00 — EXISTING CONTOUR
- - - - - EXISTING ROAD
- - - - - PERMIT BOUNDARY LIMITS
- 200 — FINAL COVER CONTOURS
- — PROPOSED ROAD
- ▬▬▬▬ PROPOSED STORMWATER LETDOWN STRUCTURE
- ▭ PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▩ PROPOSED 3:1 SIDE SLOPE
- ④ 4A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL

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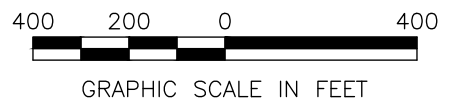
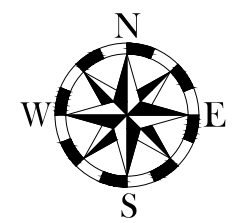
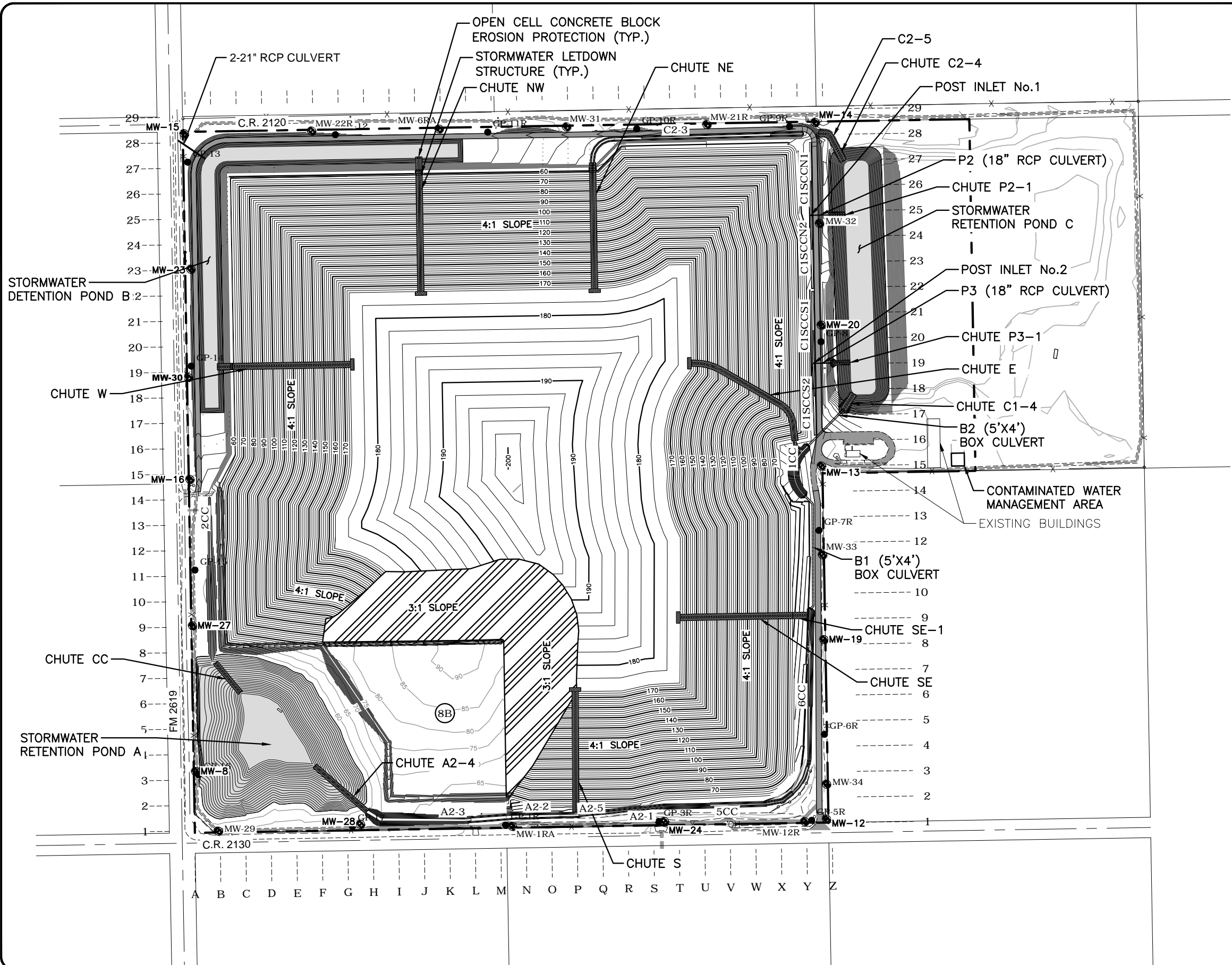
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**PART III, ATTACHMENT 1
LANDFILL SEQUENCING PLAN 7
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**FIGURE:
III.1-11**

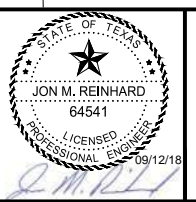
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- - - - - PERMIT BOUNDARY LIMITS
- 200 — FINAL COVER CONTOURS
- — PROPOSED ROAD
- ▨ PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS
- ▨ PROPOSED 3:1 SLOPE WORKING FACE
- ▨ PROPOSED 3:1 SIDE SLOPE
- ④ 4A SECTOR No.
- GP-8 GAS PROBE
- MW-32 MONITOR WELL

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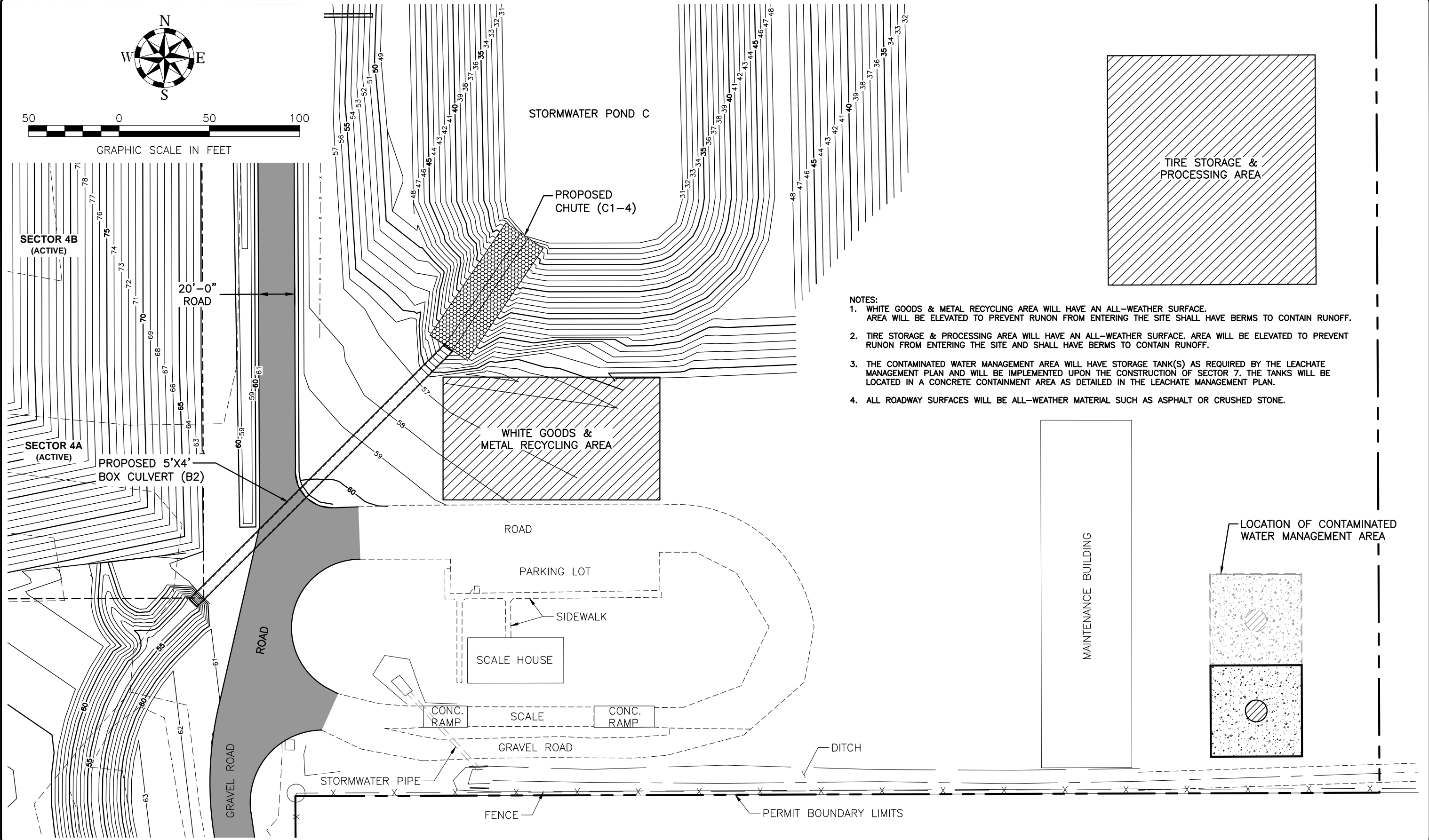
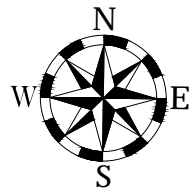
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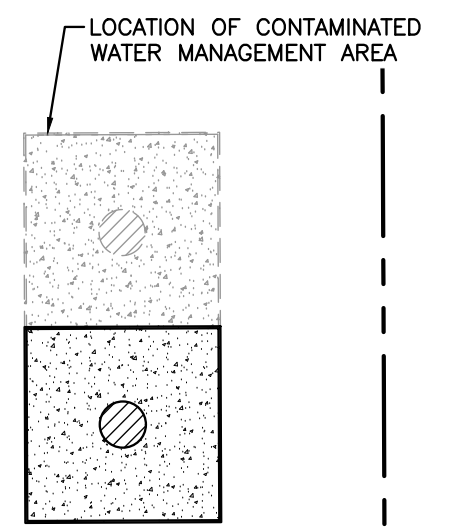
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LANDFILL SEQUENCING PLAN 8
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**FIGURE:
III.1-12**

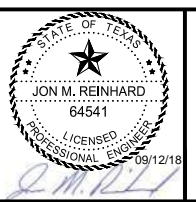


- NOTES:
1. WHITE GOODS & METAL RECYCLING AREA WILL HAVE AN ALL-WEATHER SURFACE. AREA WILL BE ELEVATED TO PREVENT RUNON FROM ENTERING THE SITE SHALL HAVE BERMS TO CONTAIN RUNOFF.
 2. TIRE STORAGE & PROCESSING AREA WILL HAVE AN ALL-WEATHER SURFACE. AREA WILL BE ELEVATED TO PREVENT RUNON FROM ENTERING THE SITE AND SHALL HAVE BERMS TO CONTAIN RUNOFF.
 3. THE CONTAMINATED WATER MANAGEMENT AREA WILL HAVE STORAGE TANK(S) AS REQUIRED BY THE LEACHATE MANAGEMENT PLAN AND WILL BE IMPLEMENTED UPON THE CONSTRUCTION OF SECTOR 7. THE TANKS WILL BE LOCATED IN A CONCRETE CONTAINMENT AREA AS DETAILED IN THE LEACHATE MANAGEMENT PLAN.
 4. ALL ROADWAY SURFACES WILL BE ALL-WEATHER MATERIAL SUCH AS ASPHALT OR CRUSHED STONE.



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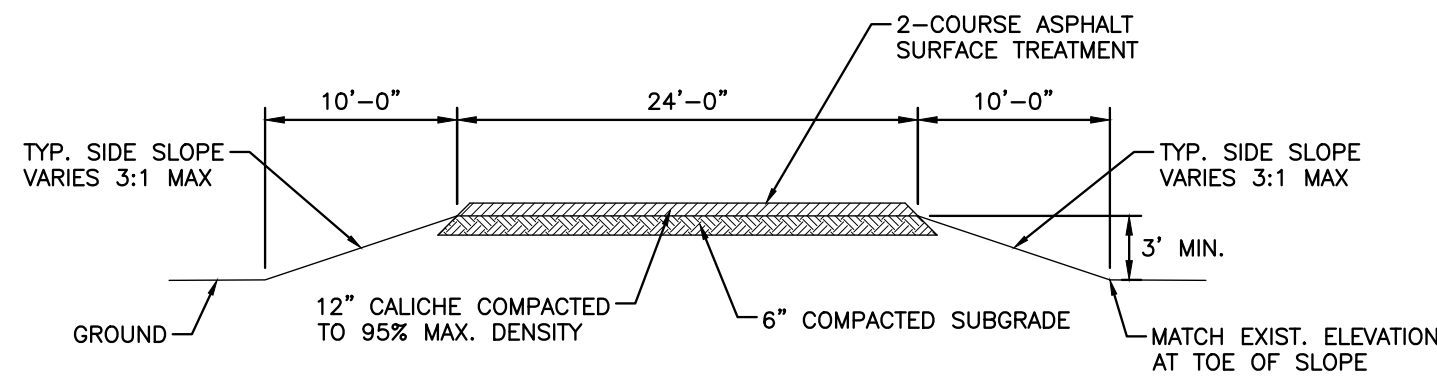
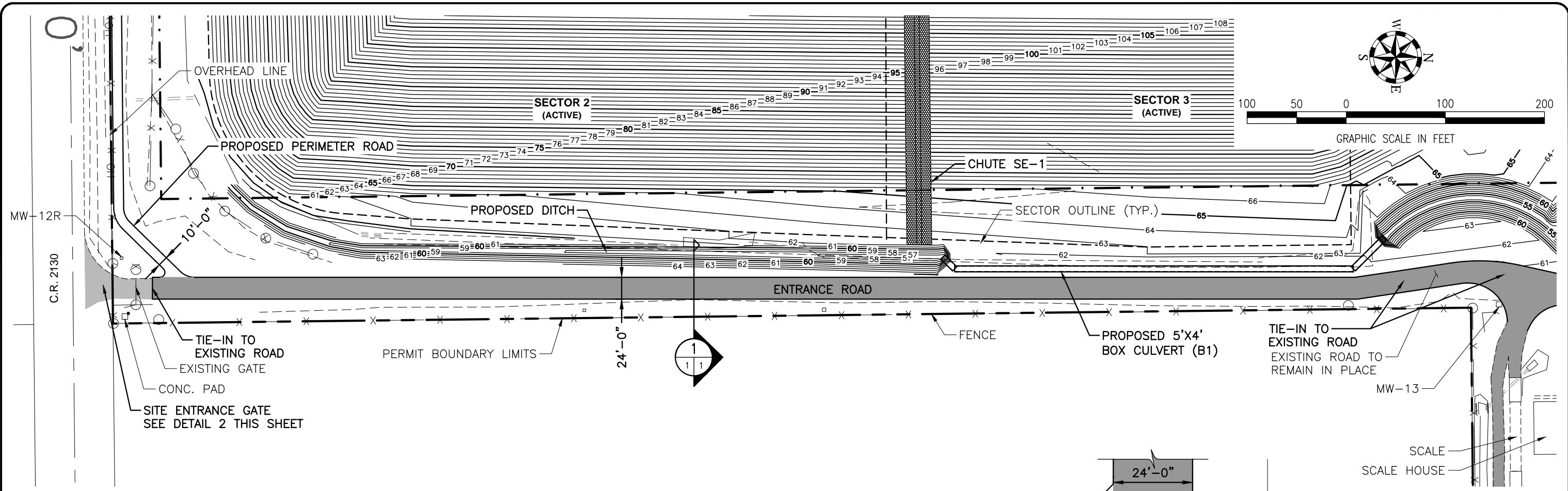
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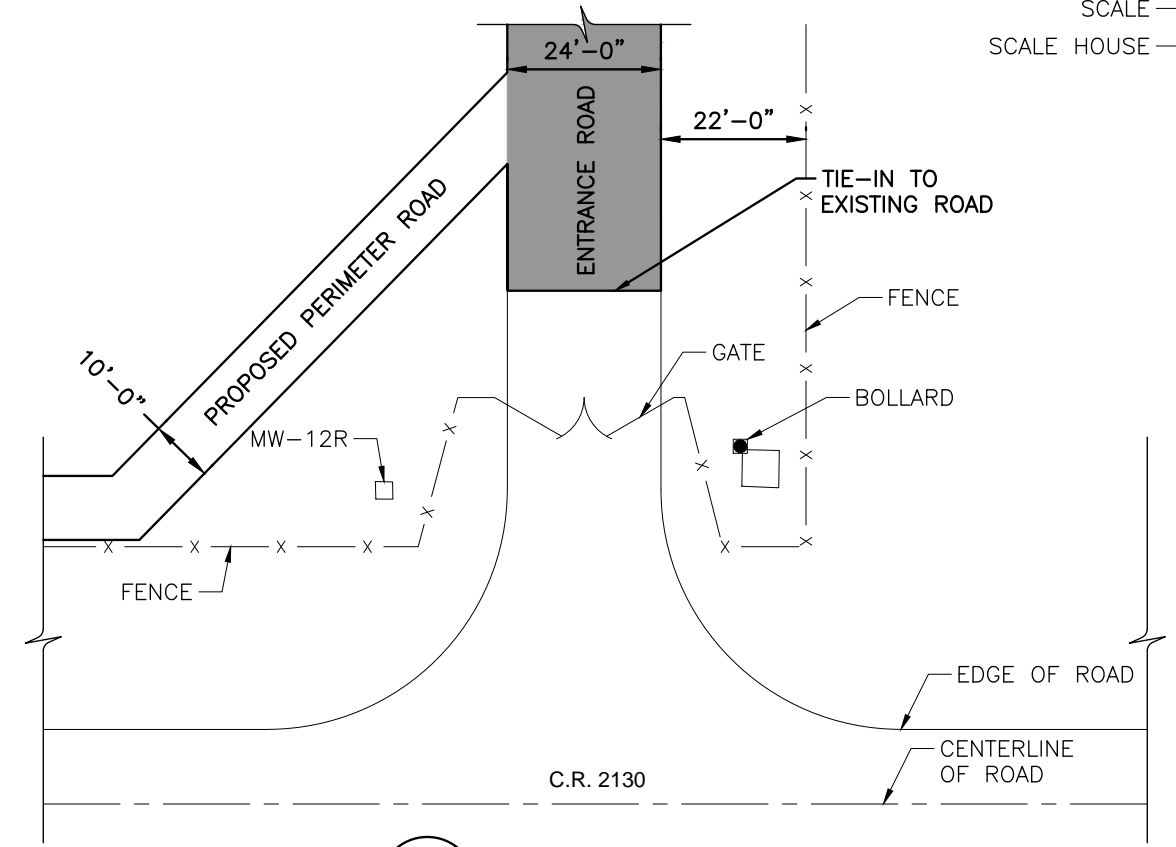
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**PART III, ATTACHMENT 1
 SUPPORT AREA LAYOUT
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**FIGURE:
 III.1-14**

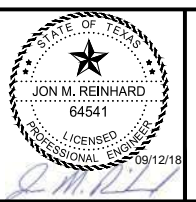


1
1 1
TYPICAL ENTRANCE ROAD
SCALE: N.T.S.



2
1 1
LANDFILL MAIN ENTRANCE
SCALE: N.T.S.

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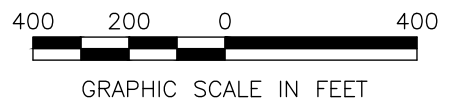
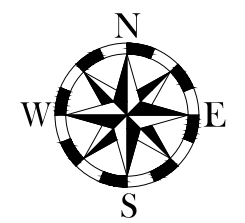
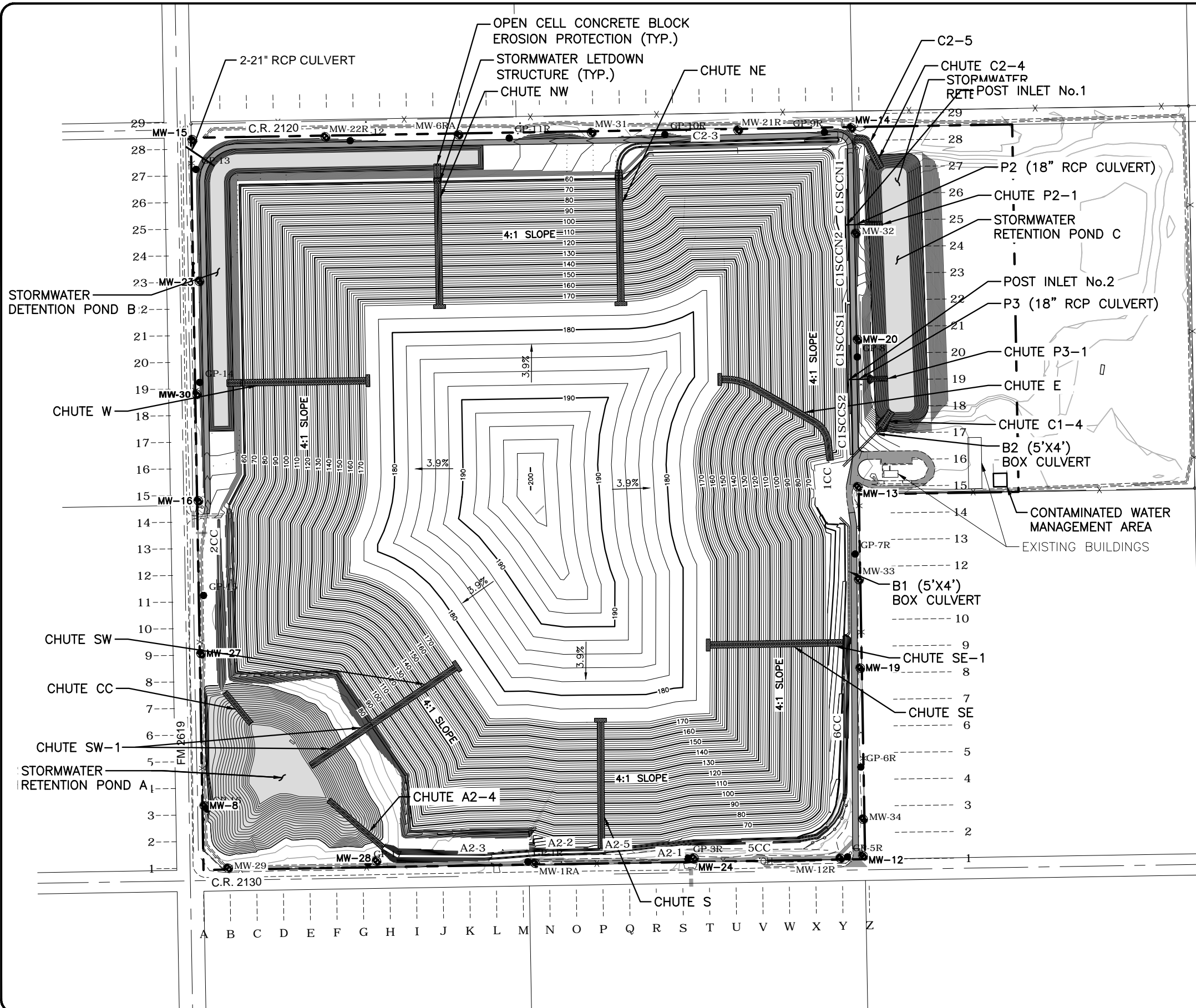
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PART III, ATTACHMENT 1
ENTRANCE ROAD
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FIGURE:
III.1-15

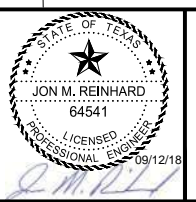
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 - 200 — FINAL COVER CONTOURS
 - — PROPOSED ROAD
 - ▨ PROPOSED STORMWATER LETDOWN STRUCTURE
 - PROPOSED STORMWATER PONDS
 - ▨ PROPOSED 3:1 SLOPE WORKING FACE
 - ▨ PROPOSED 3:1 SIDE SLOPE
 - ④ 4A SECTOR No.
 - GP-8 GAS PROBE
 - MW-32 MONITOR WELL

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**PART III, ATTACHMENT 1
LANDFILL SEQUENCING PLAN 9
CITY OF KINGSVILLE LANDFILL**

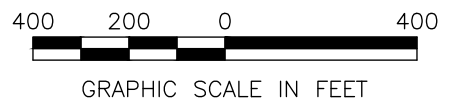
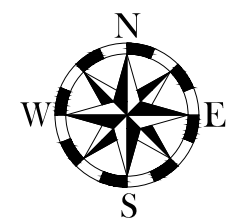
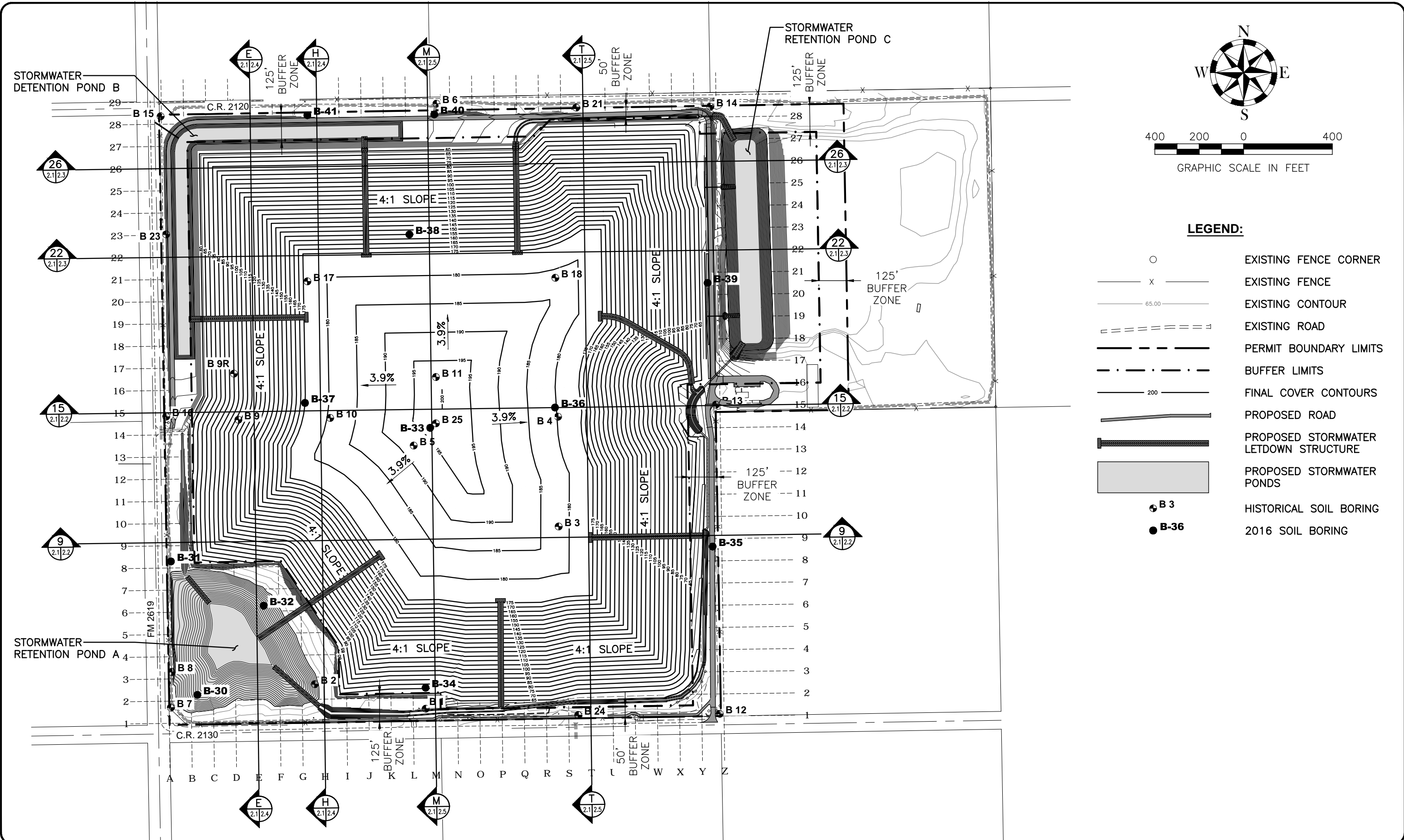
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KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

**FIGURE:
III.1-13**

CITY OF KINGSVILLE LANDFILL
PART III
ATTACHMENT 2
CROSS-SECTIONS



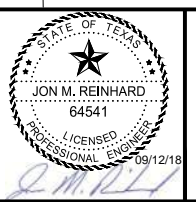
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I:\16JOBS\16L0438\8514-CITY OF KINGSVILLE\8514-03-CAD-PART-II\PART 3 DRAWINGS\8514-03-LANDFILL-SECTIONS.DWG



LEGEND:

- EXISTING FENCE CORNER
- x — EXISTING FENCE
- 65.00 — EXISTING CONTOUR
- - - - - EXISTING ROAD
- - - - - PERMIT BOUNDARY LIMITS
- · - · - · - BUFFER LIMITS
- 200 — FINAL COVER CONTOURS
- PROPOSED ROAD
- ▬ PROPOSED STORMWATER LETDOWN STRUCTURE
- PROPOSED STORMWATER PONDS
- B 3 HISTORICAL SOIL BORING
- B-36 2016 SOIL BORING

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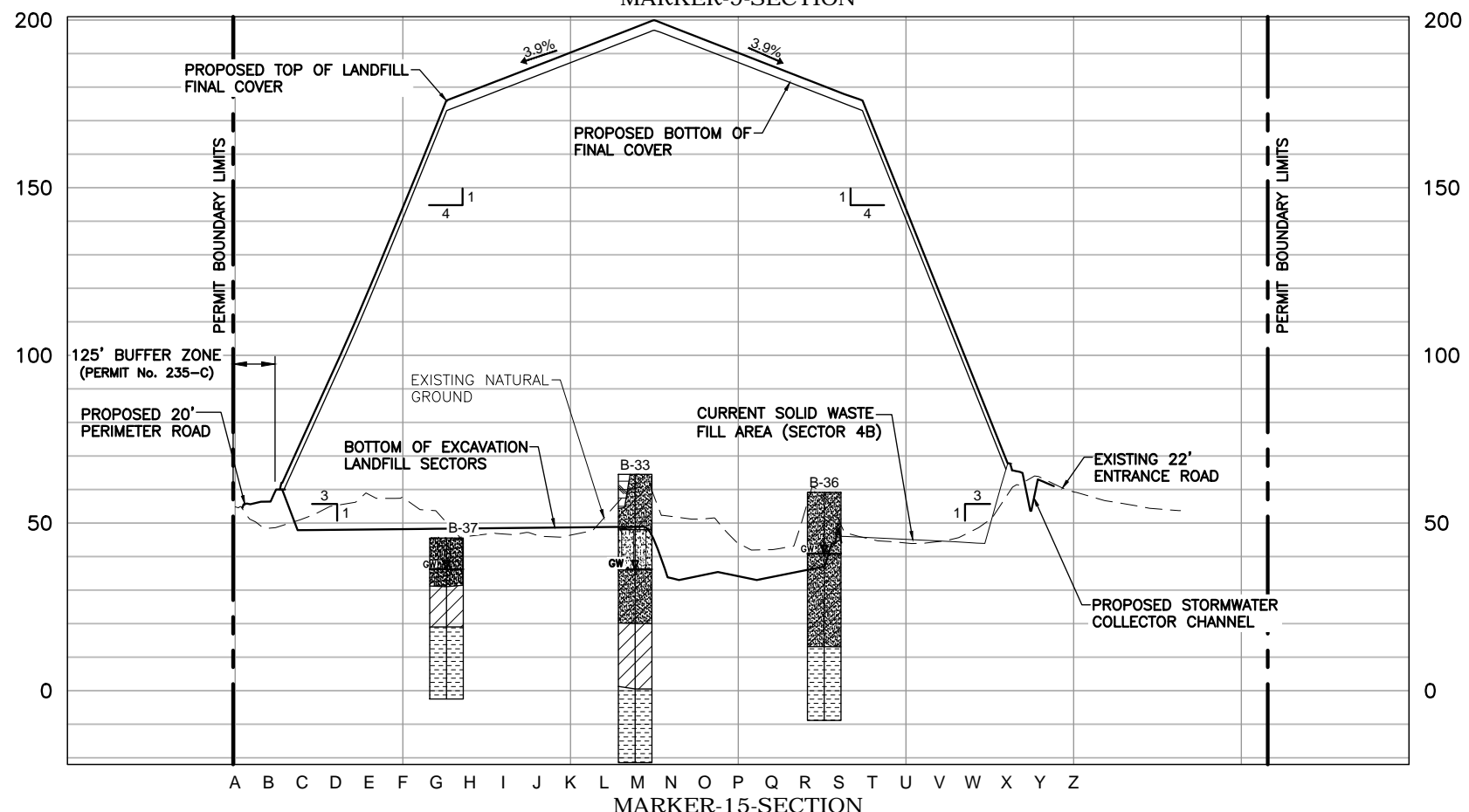
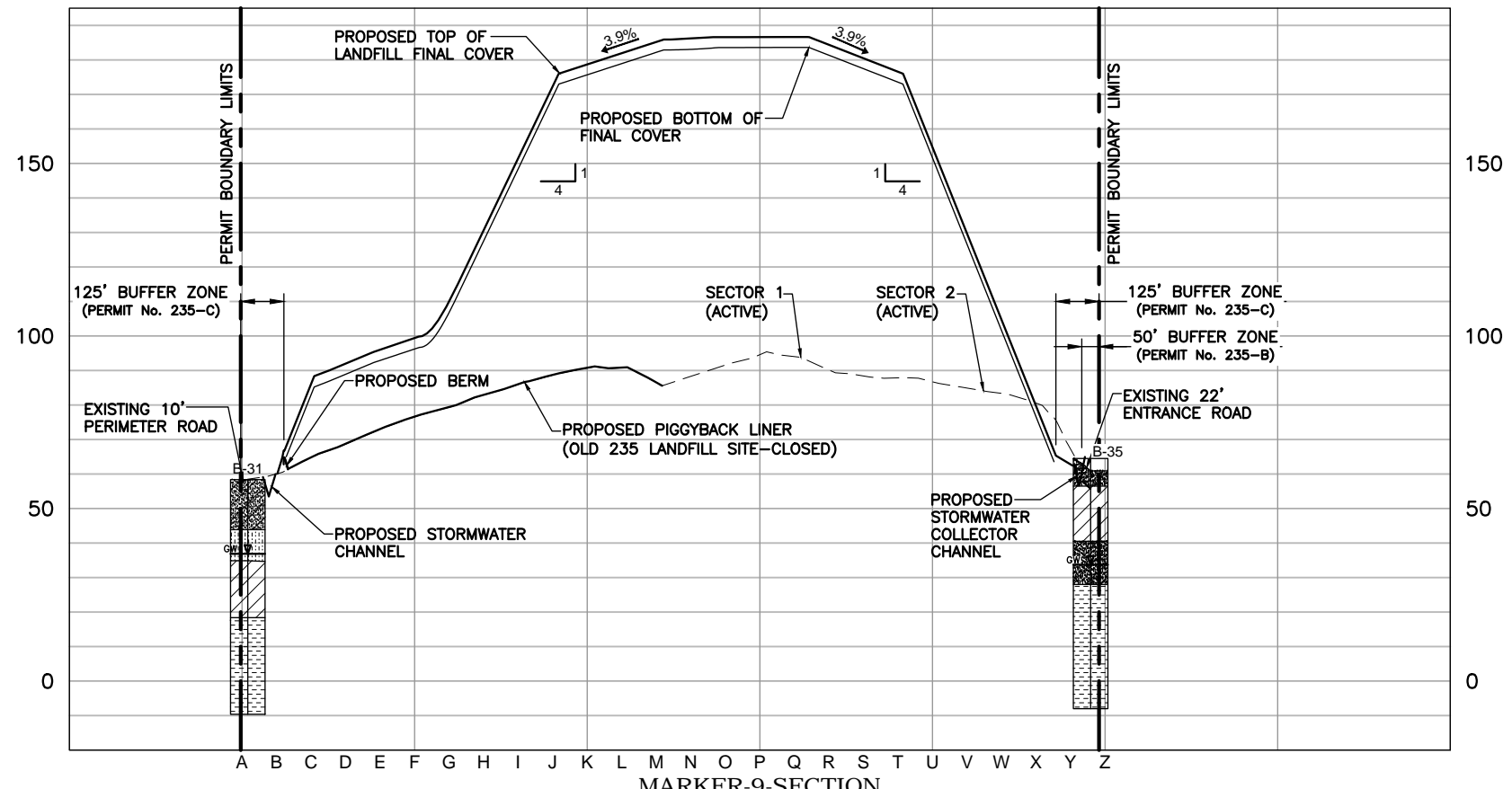
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PART III, ATTACHMENT 2
LANDFILL CROSS - SECTION
LOCATION PLAN
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PA. MSW 235-C
KINGSVILLE, TEXAS, KLEBERG COUNTY, TEXAS

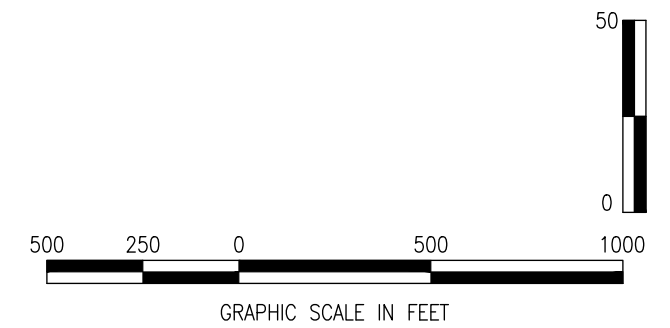
FIGURE:
III.2-1

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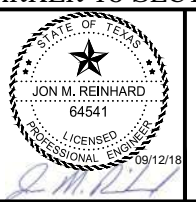


LEGEND

- LEAN CLAY, LEAN CLAY WITH SAND, SANDY LEAN SILTY CLAY (CL, CL-ML)
- CLAYEY SAND (SC)
- SILTY SAND, POORLY GRADED SAND WITH SILT (SM, SP-SM)
- FAT CLAY, SANDY FAT CLAY, FAT CLAY WITH SAND (CH)
- POORLY GRADED SAND WITH CLAY (SP-SC)
- GROUND WATER (GW)



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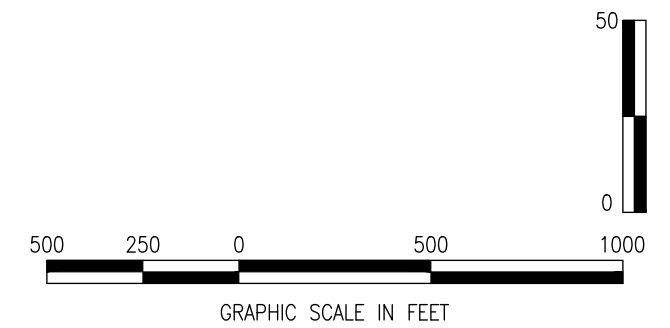
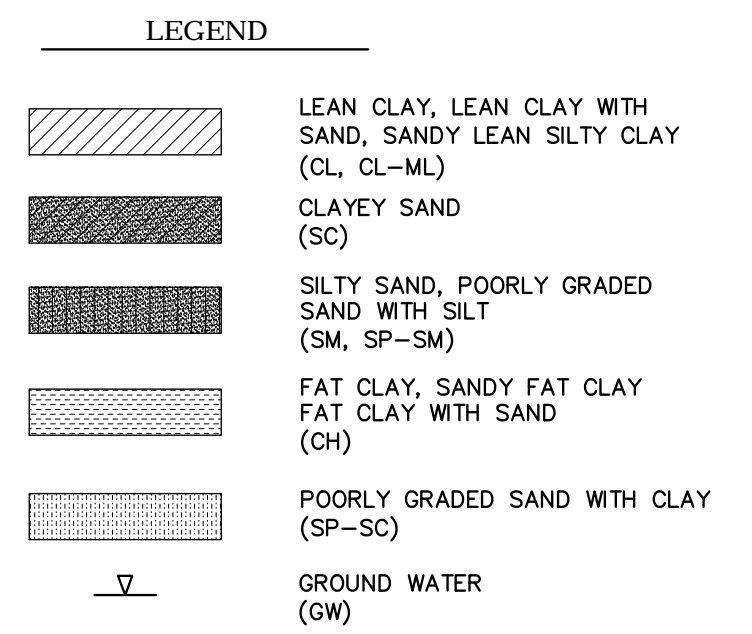
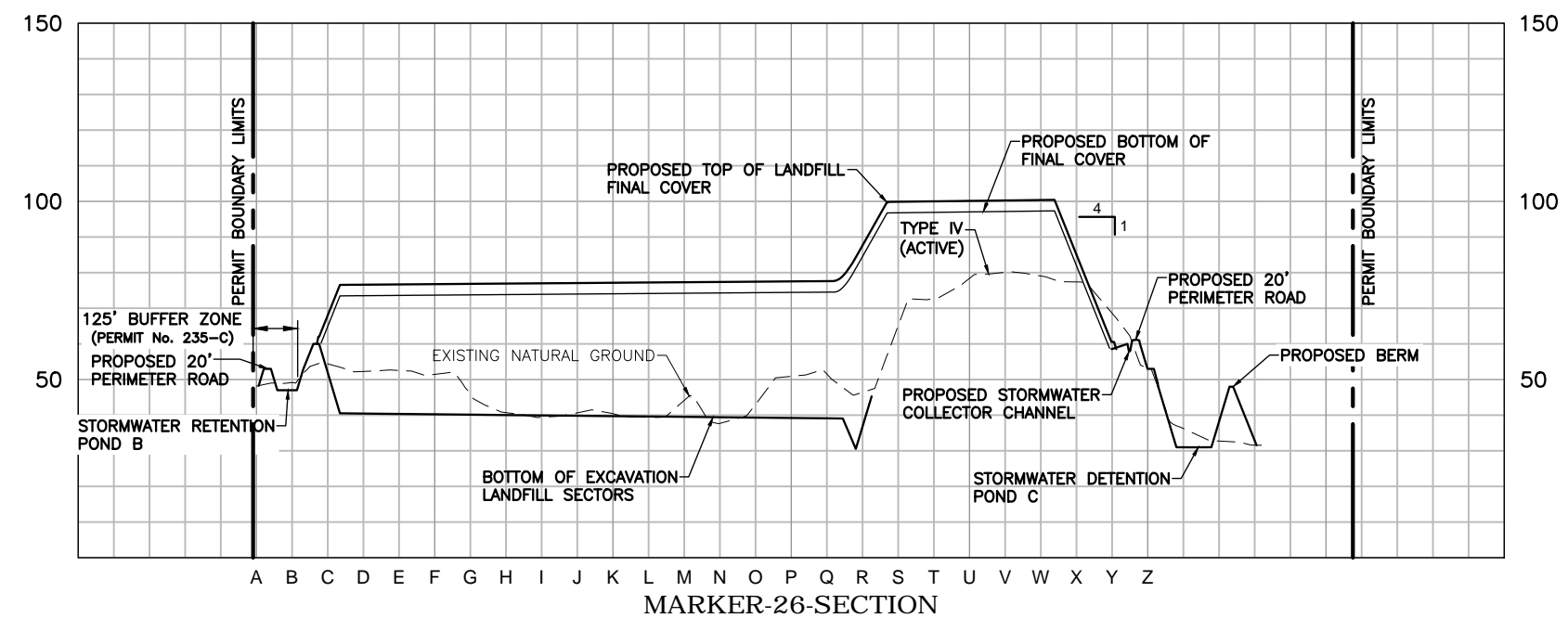
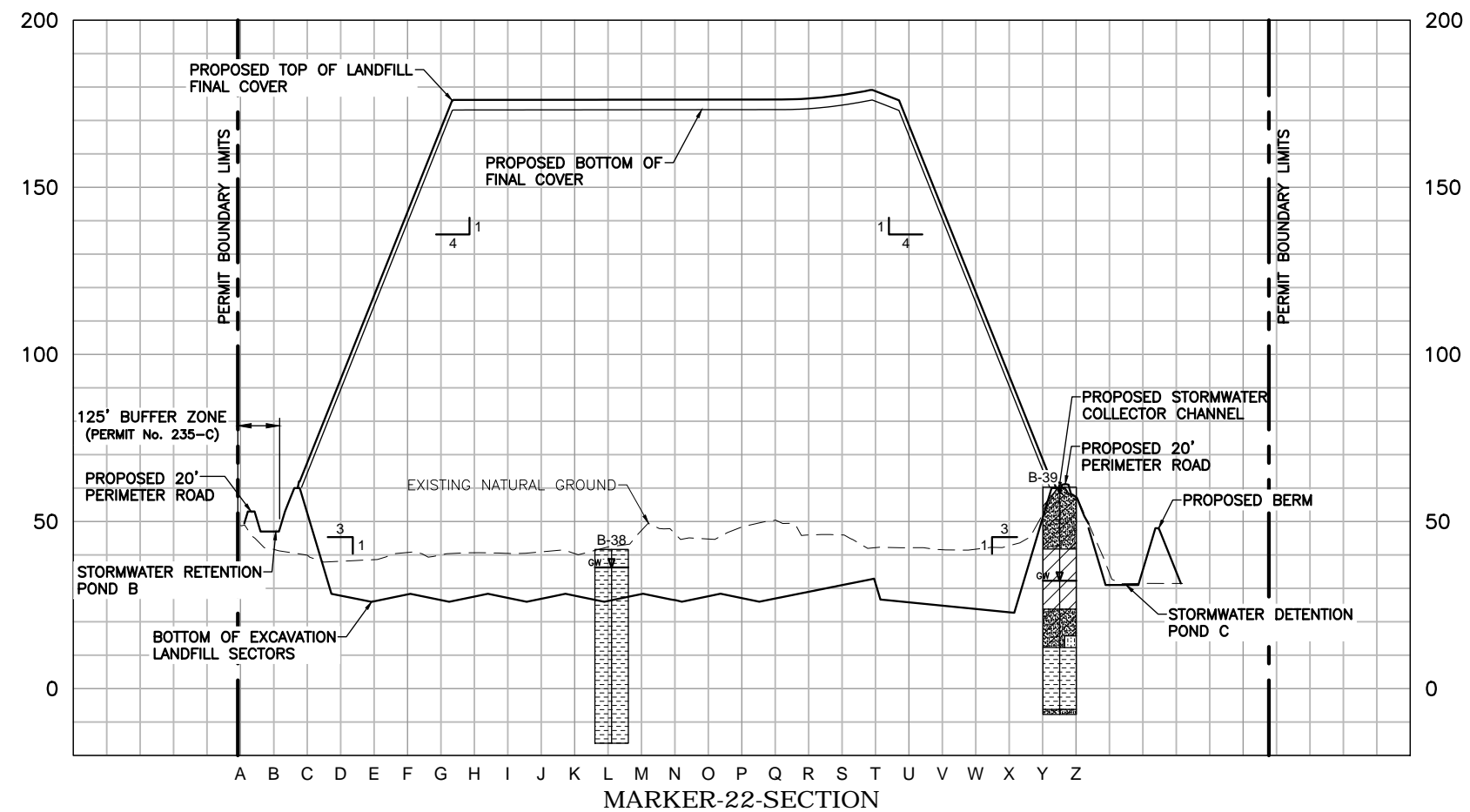
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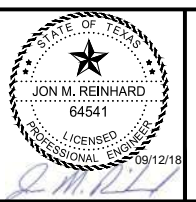
PART III, ATTACHMENT 2
 LANDFILL CROSS - SECTIONS 9 & 15
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

FIGURE:
III.2-2

SEP 11, 2018 3:25 PM TORRED1809 I:\16JOBS\1610438\8514-CITY OF KINGSVILLE\8514-03-CAD-PART-III\PART 3 DRAWINGS\8514-03-LANDFILL-SECTIONS.DWG



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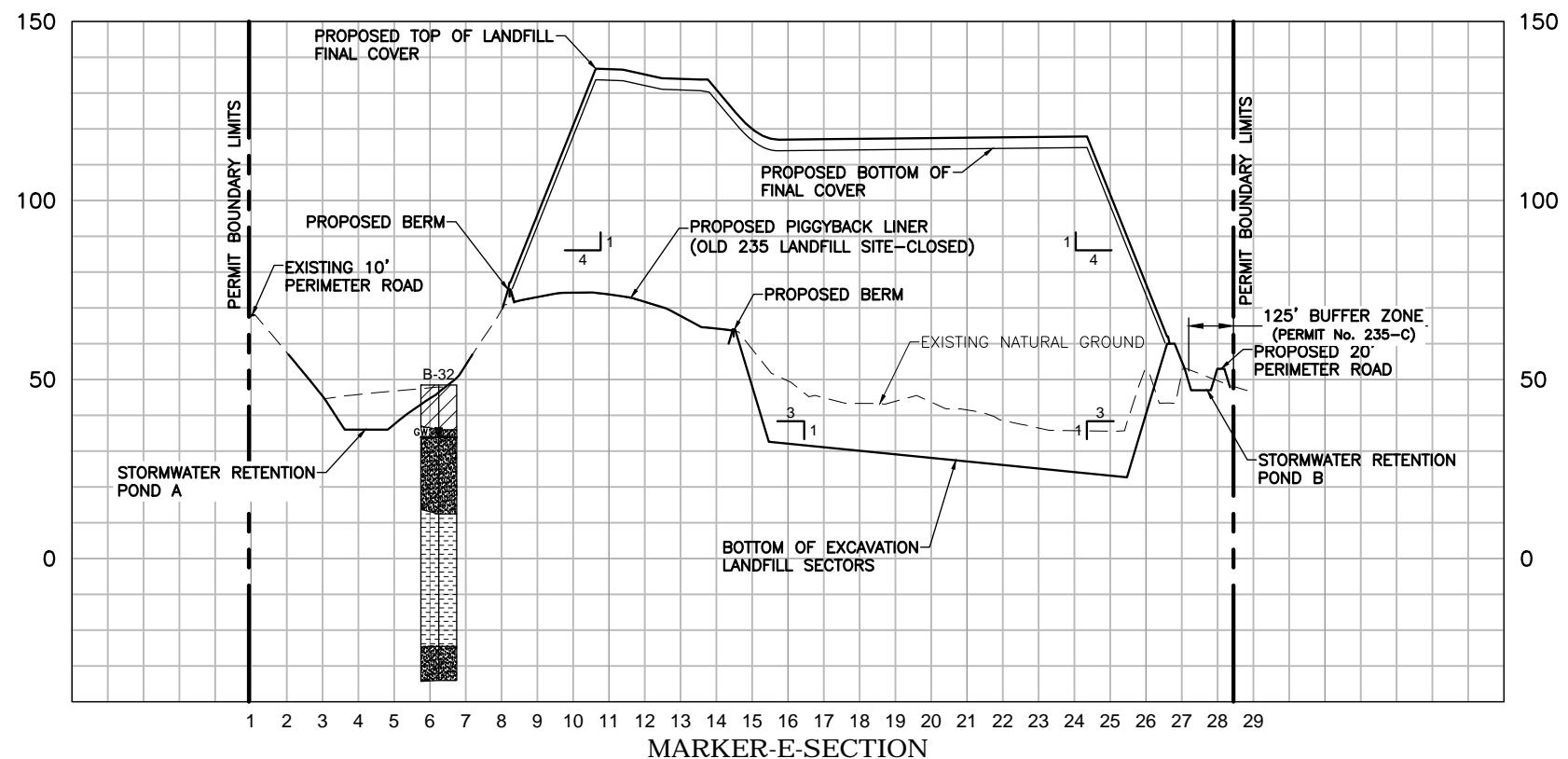
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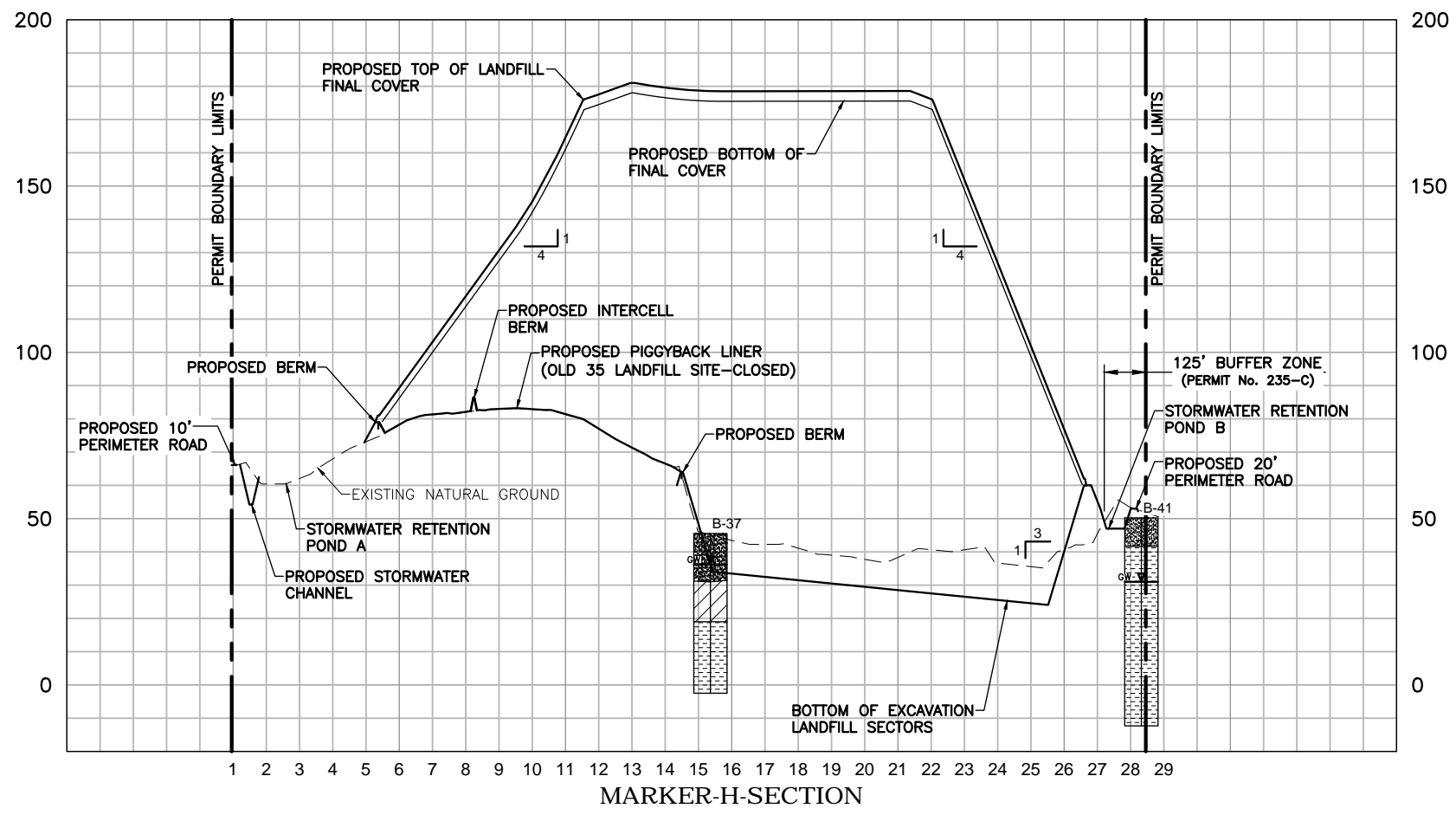
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**PART III, ATTACHMENT 2
 LANDFILL CROSS - SECTIONS 22 & 26
 CITY OF KINGSVILLE LANDFILL**
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 KINGSVILLE, TEXAS
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**FIGURE:
 III.2-3**




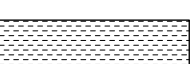




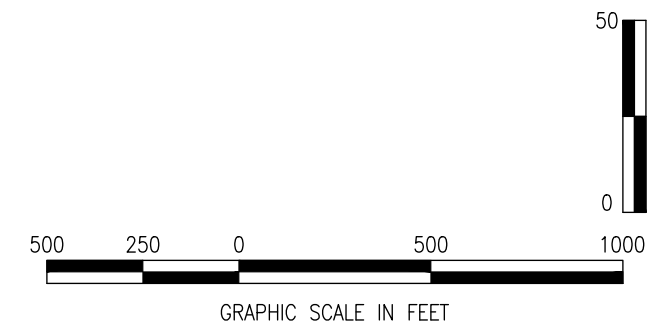
MARKER-E-SECTION



MARKER-H-SECTION

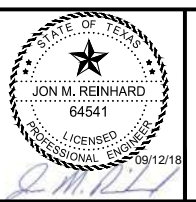
LEGEND

-  LEAN CLAY, LEAN CLAY WITH SAND, SANDY LEAN SILTY CLAY (CL, CL-ML)
-  CLAYEY SAND (SC)
-  SILTY SAND, POORLY GRADED SAND WITH SILT (SM, SP-SM)
-  FAT CLAY, SANDY FAT CLAY, FAT CLAY WITH SAND (CH)
-  POORLY GRADED SAND WITH CLAY (SP-SC)
-  GROUND WATER (GW)



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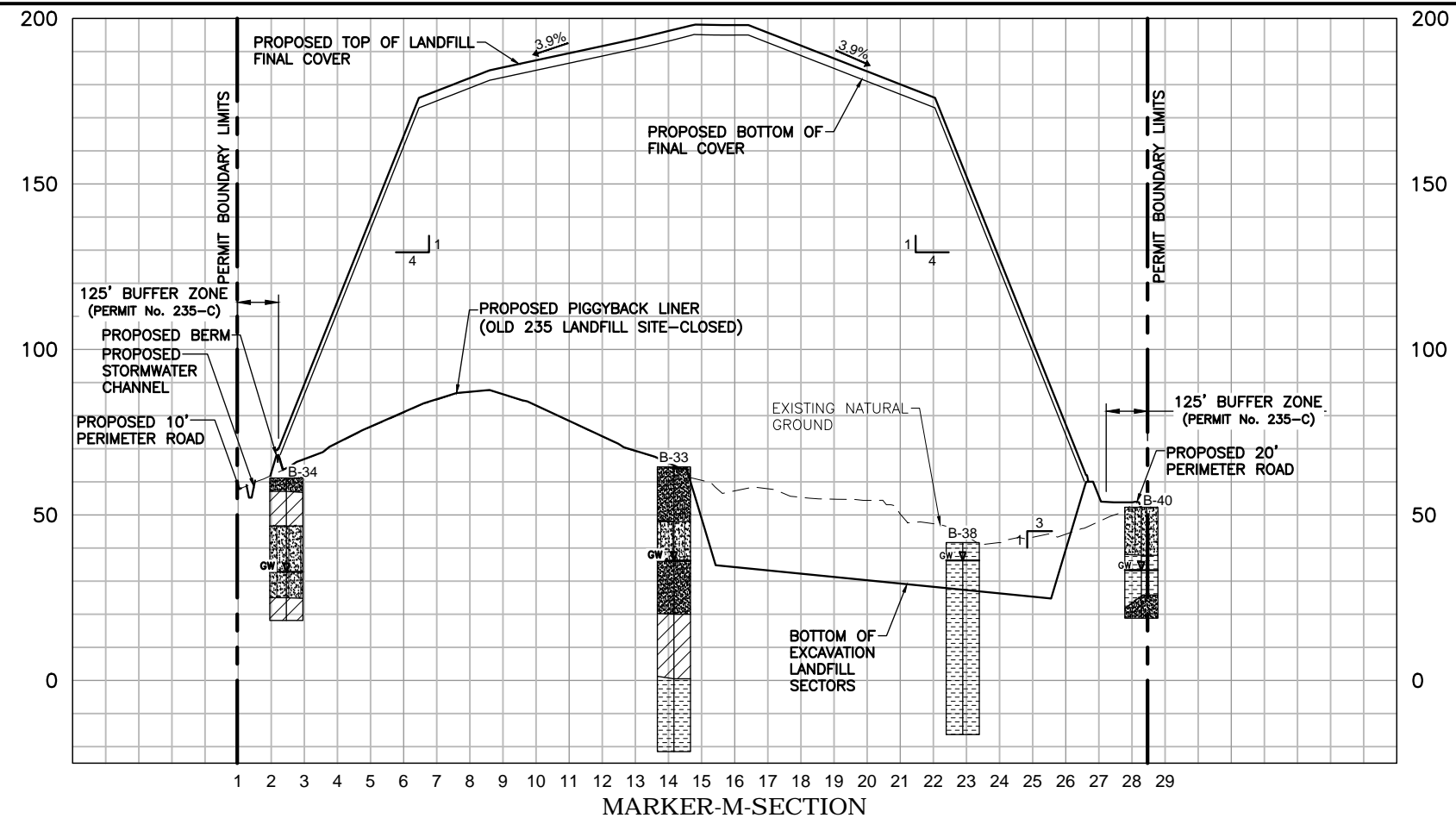
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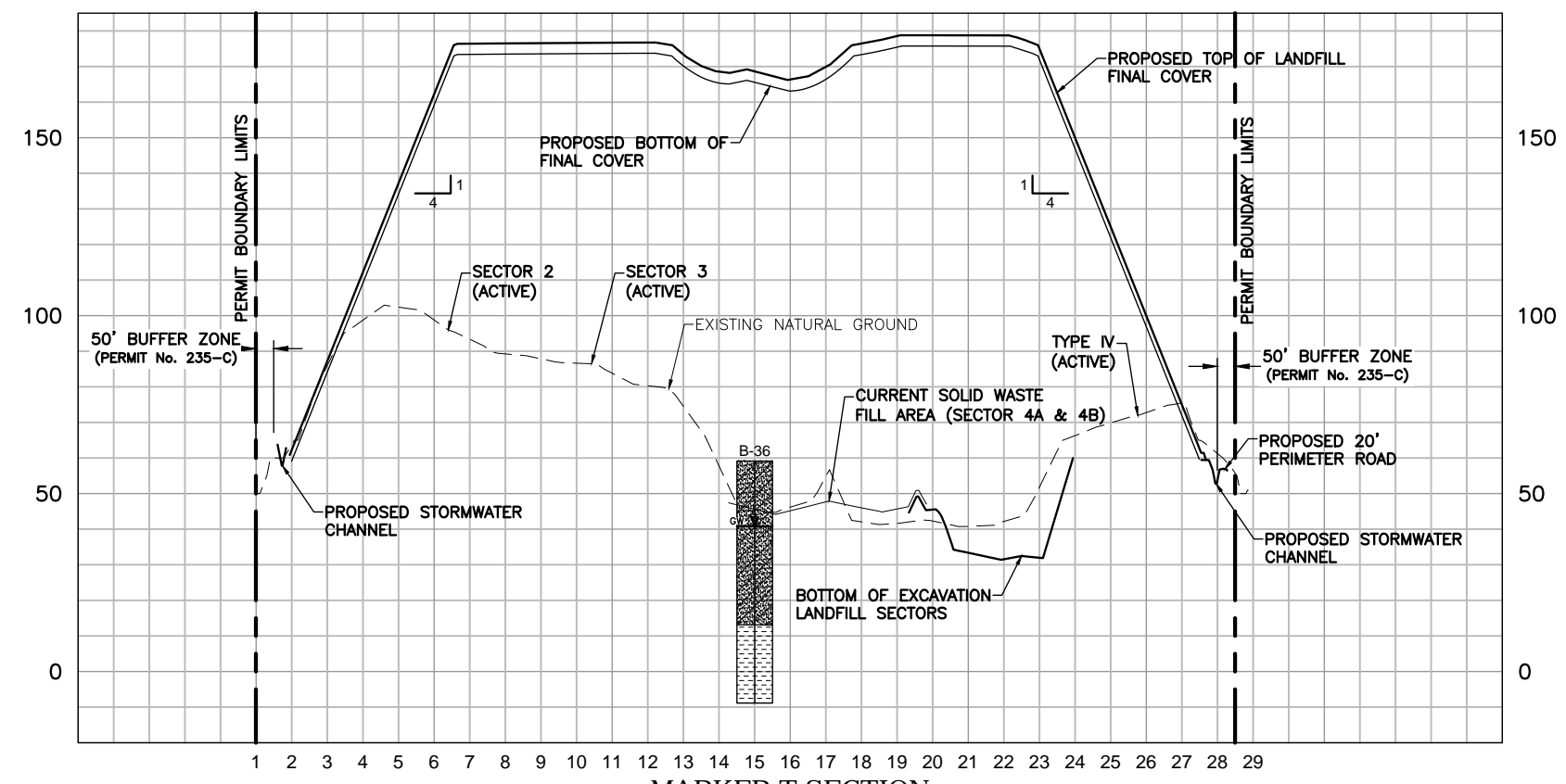
PART III, ATTACHMENT 2
LANDFILL CROSS - SECTIONS E & H
CITY OF KINGSVILLE LANDFILL
MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

FIGURE:
III.2-4

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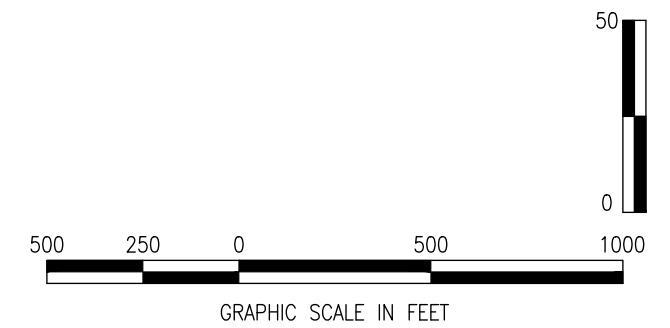
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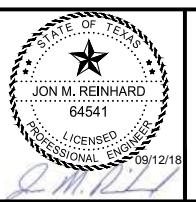
MARKER-T-SECTION

LEGEND

- LEAN CLAY, LEAN CLAY WITH SAND, SANDY LEAN SILTY CLAY (CL, CL-ML)
- CLAYEY SAND (SC)
- SILTY SAND, POORLY GRADED SAND WITH SILT (SM, SP-SM)
- FAT CLAY, SANDY FAT CLAY, FAT CLAY WITH SAND (CH)
- POORLY GRADED SAND WITH CLAY (SP-SC)
- GROUND WATER (GW)



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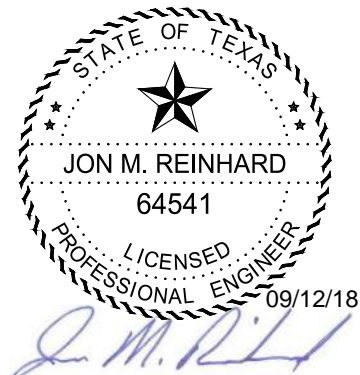
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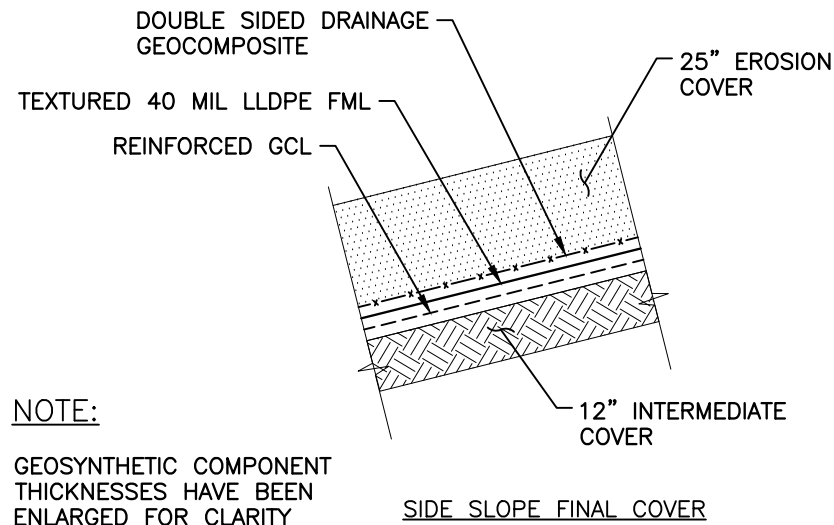
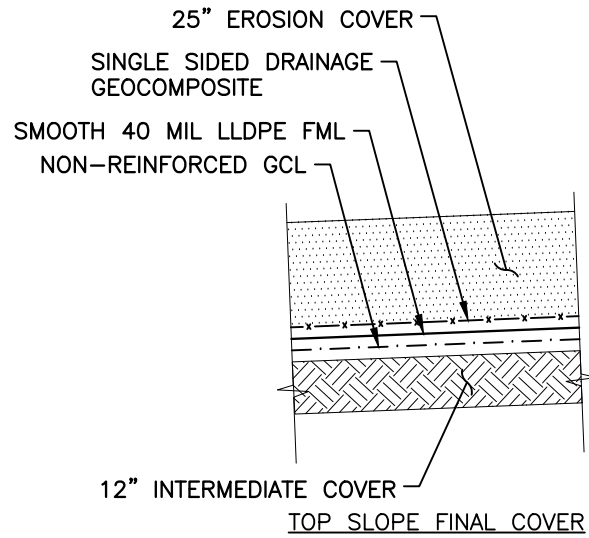
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PART III, ATTACHMENT 2
 LANDFILL CROSS - SECTIONS M & T
 CITY OF KINGSVILLE LANDFILL
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 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

FIGURE:
 III.2-5

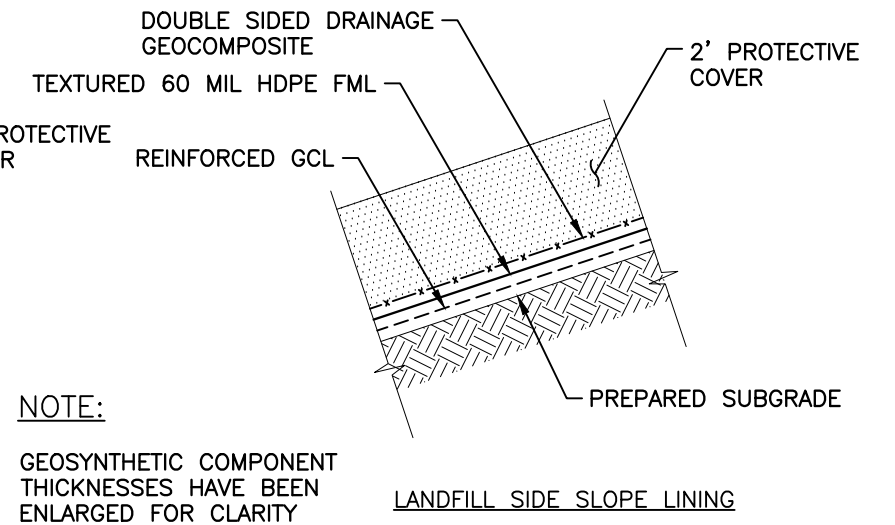
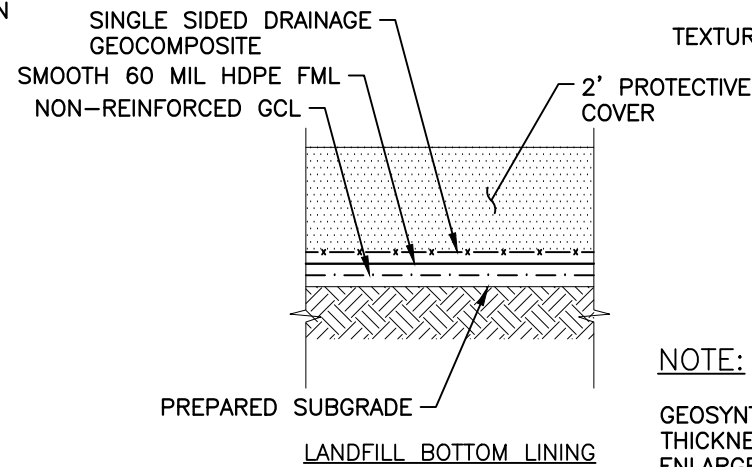
CITY OF KINGSVILLE LANDFILL
PART III
ATTACHMENT 3
WASTE MANAGEMENT UNIT DESIGN DRAWINGS





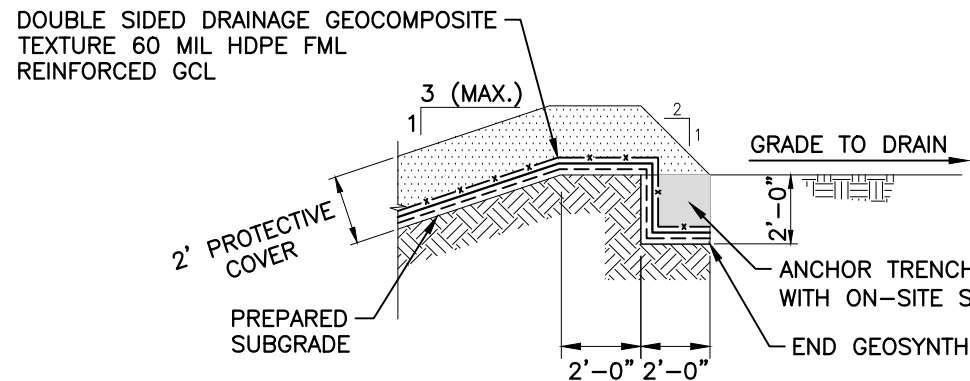
NOTE:
GEOSYNTHETIC COMPONENT THICKNESSES HAVE BEEN ENLARGED FOR CLARITY

8 FINAL COVER LINING DETAIL
1 1 SCALE: N.T.S.

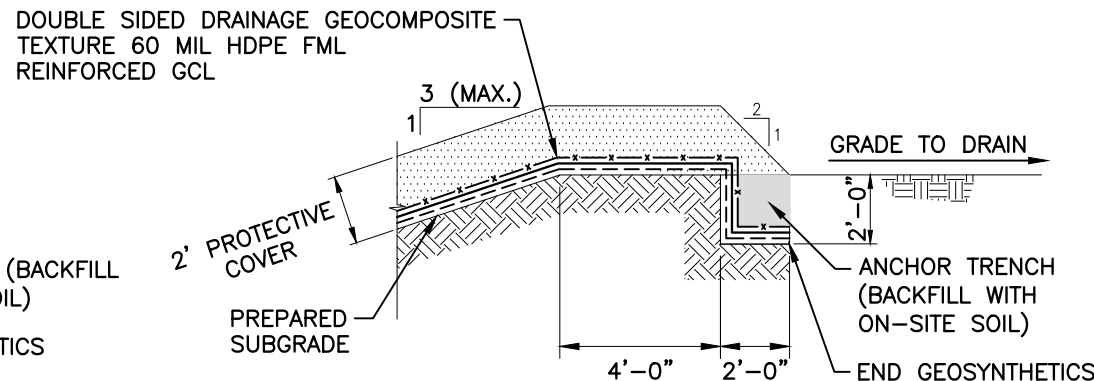


NOTE:
GEOSYNTHETIC COMPONENT THICKNESSES HAVE BEEN ENLARGED FOR CLARITY

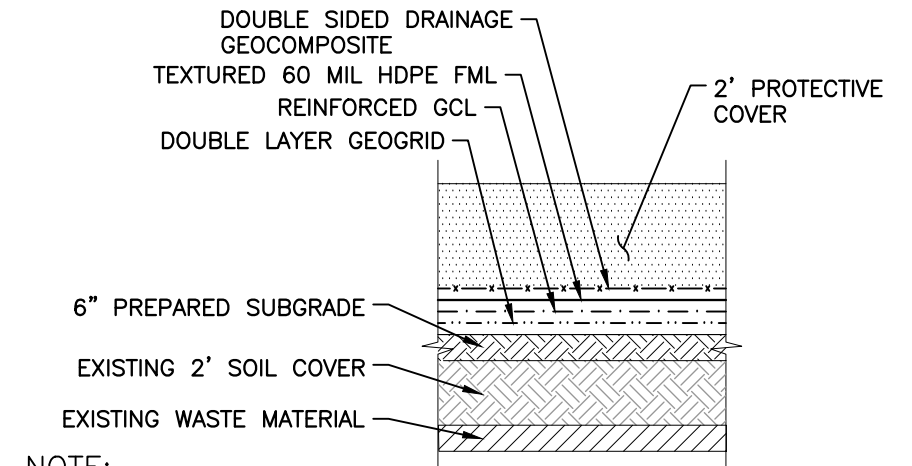
9 LANDFILL LINING DETAILS
1 1 SCALE: N.T.S.



10 ANCHOR TRENCH
1 1 SCALE: N.T.S.



11 ANCHOR TRENCH
1 1 SCALE: N.T.S.



NOTE:
GEOSYNTHETIC COMPONENT THICKNESSES HAVE BEEN ENLARGED FOR CLARITY

12 PIGGY BACK LINER DETAIL
1 1 SCALE: N.T.S.

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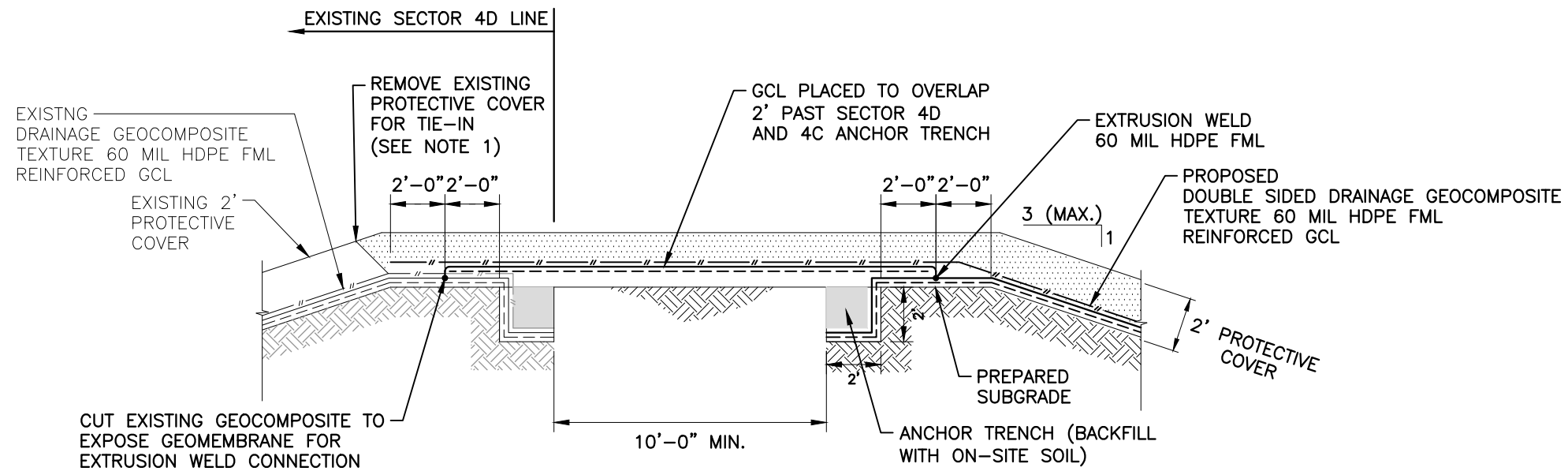
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PART III, ATTACHMENT 3
LINER DETAILS
CITY OF KINGSVILLE LANDFILL
MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

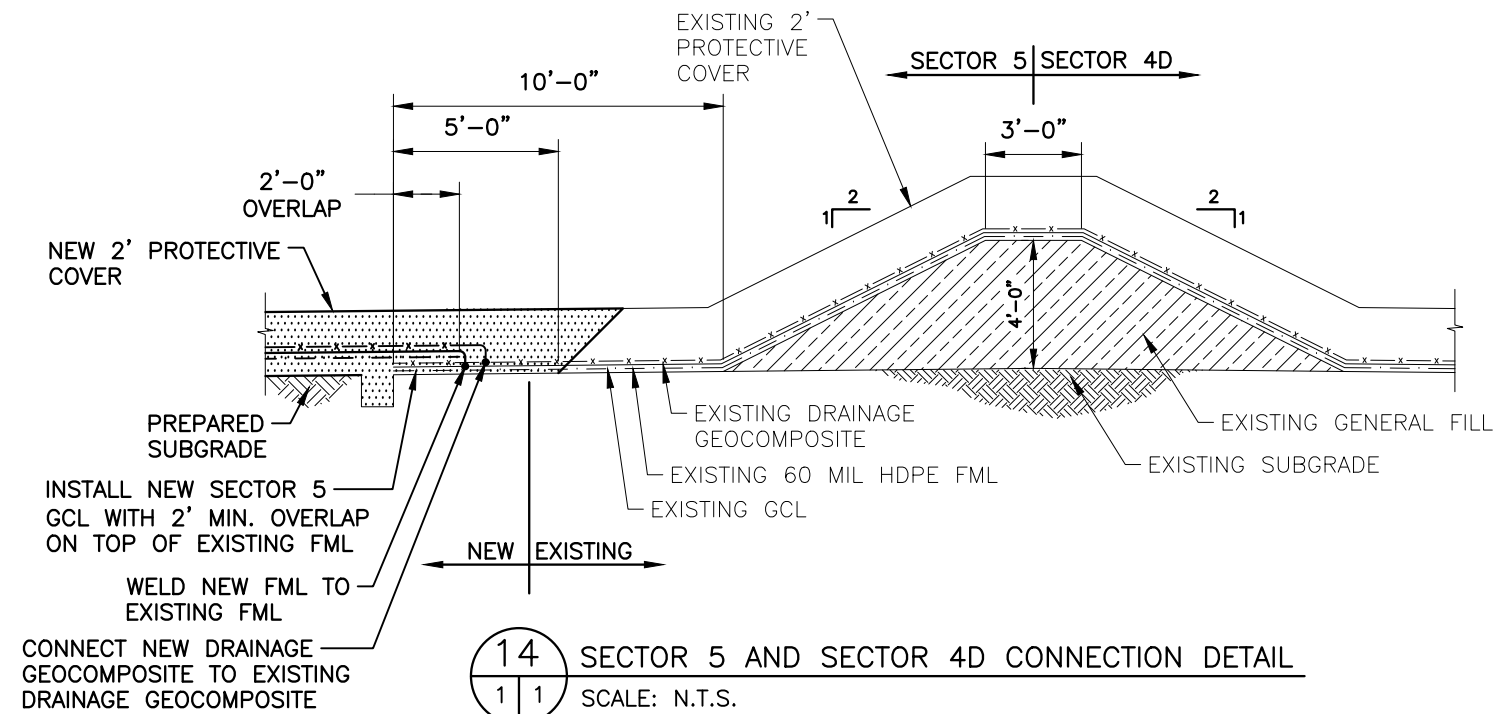
FIGURE:
III.3-1

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NOTE:
 1. REQUIRE LAST 6" OF PROTECTIVE COVER OVER LINER TIE-IN LOCATION TO BE REMOVED BY HAND W/SHOVELS AND/OR BROOMS.

13 SECTOR 4D/4C LINER CONNECTION DETAIL
 1 | 1 SCALE: N.T.S.



NOTE:
 REMOVE EXISTING PROTECTIVE COVER AND CUT FML AND DRAINAGE GEOCOMPOSITE AT ANCHOR TRENCH. FOLD BACK FML AND DRAINAGE GEOCOMPOSITE TO ALLOW INSTALLATION OF NEW SECTOR 5 GCL WITH A MINIMUM OF 2' OVERLAP ON TOP OF EXISTING GCL. REPLACE FML AND WELD NEW SECTOR 5 FML TO EXISTING. REPLACE DRAINAGE GEOCOMPOSITE AND TIE NEW SECTOR 5 DRAINAGE GEOCOMPOSITE TO EXISTING.

14 SECTOR 5 AND SECTOR 4D CONNECTION DETAIL
 1 | 1 SCALE: N.T.S.

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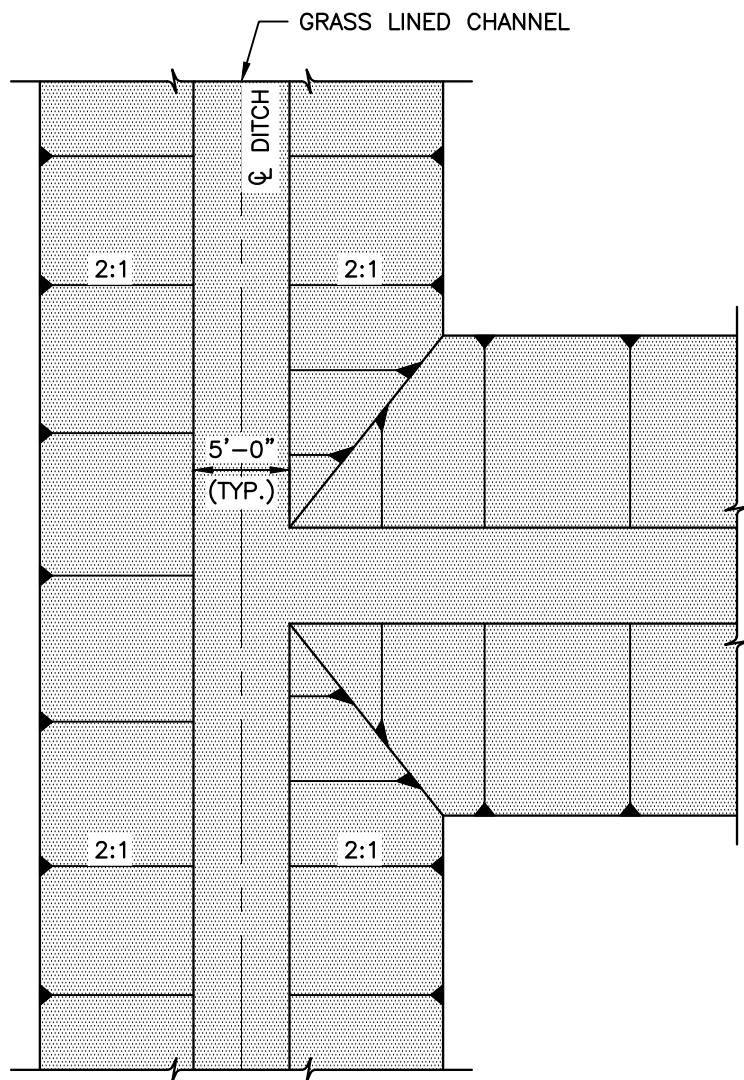
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Date 09/12/2018		
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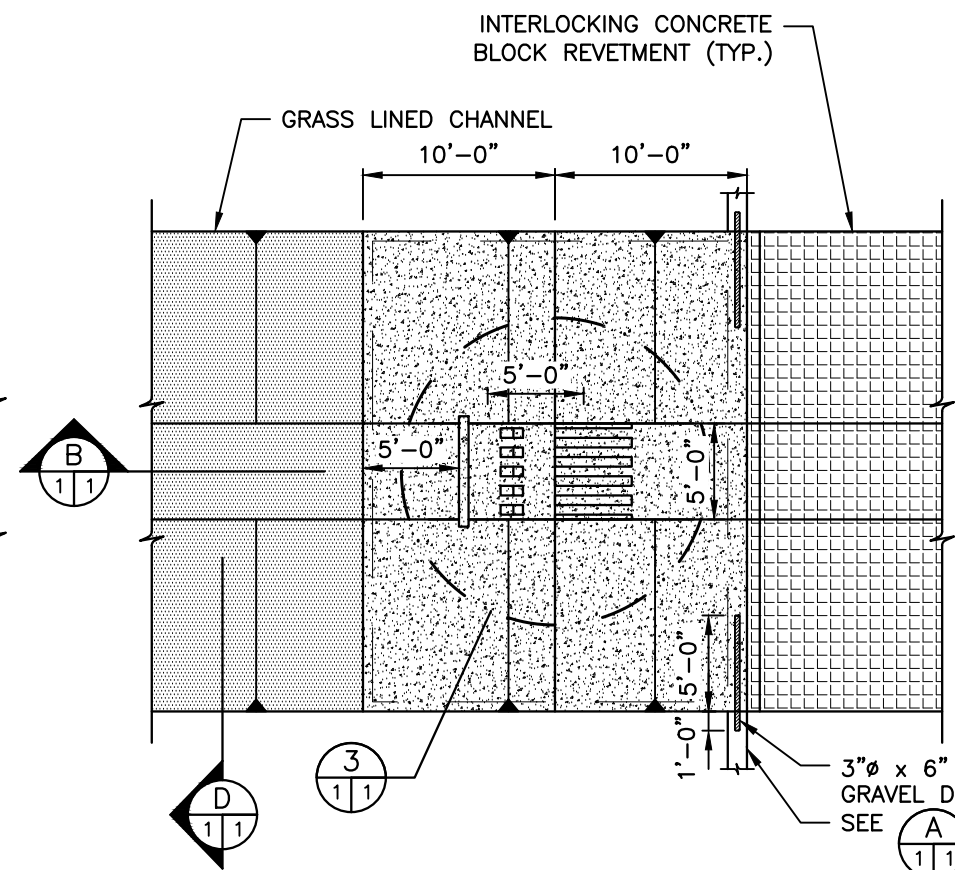
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PART III, ATTACHMENT 3
 SECTOR 4D CONNECTION DETAILS
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

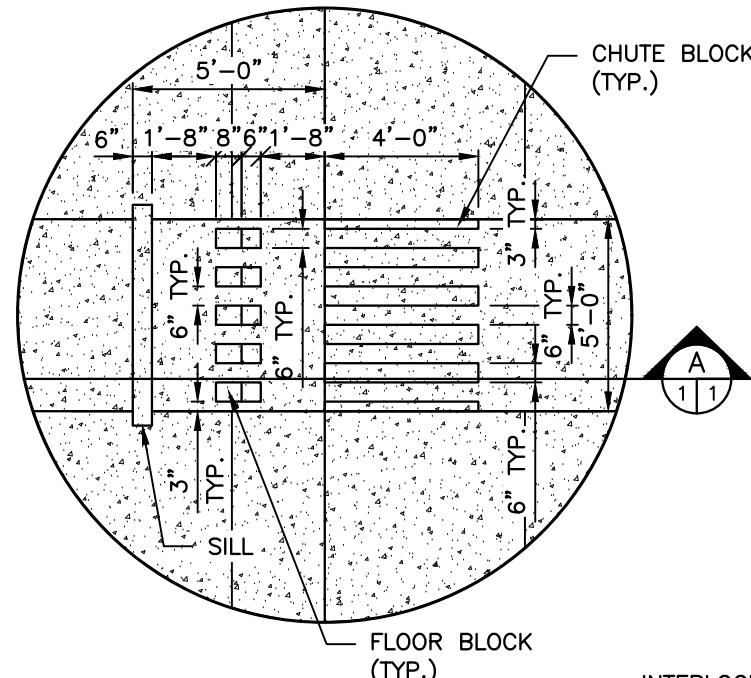
FIGURE:
III.3-2



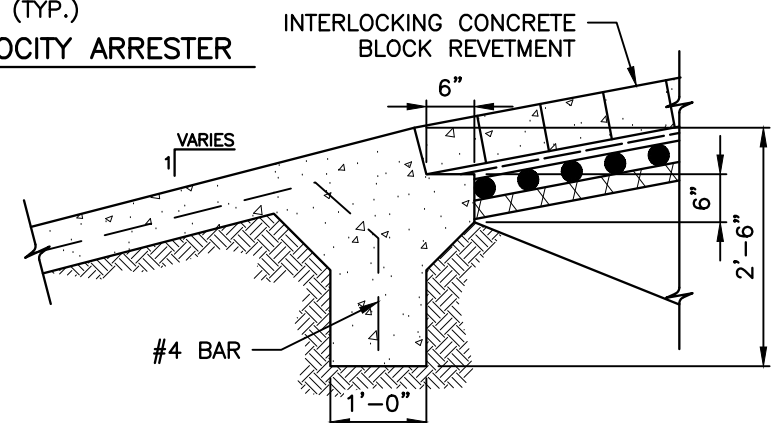
1 DETAIL - DRAINAGE CHUTE/OUTLET
SCALE : 1"=10'



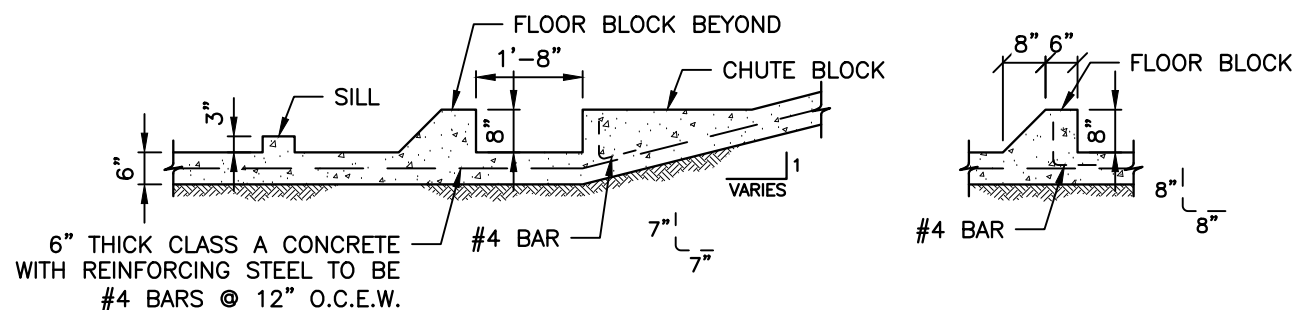
2 DETAIL - DRAINAGE CHUTE/OUTLET
SCALE : 1"=10'



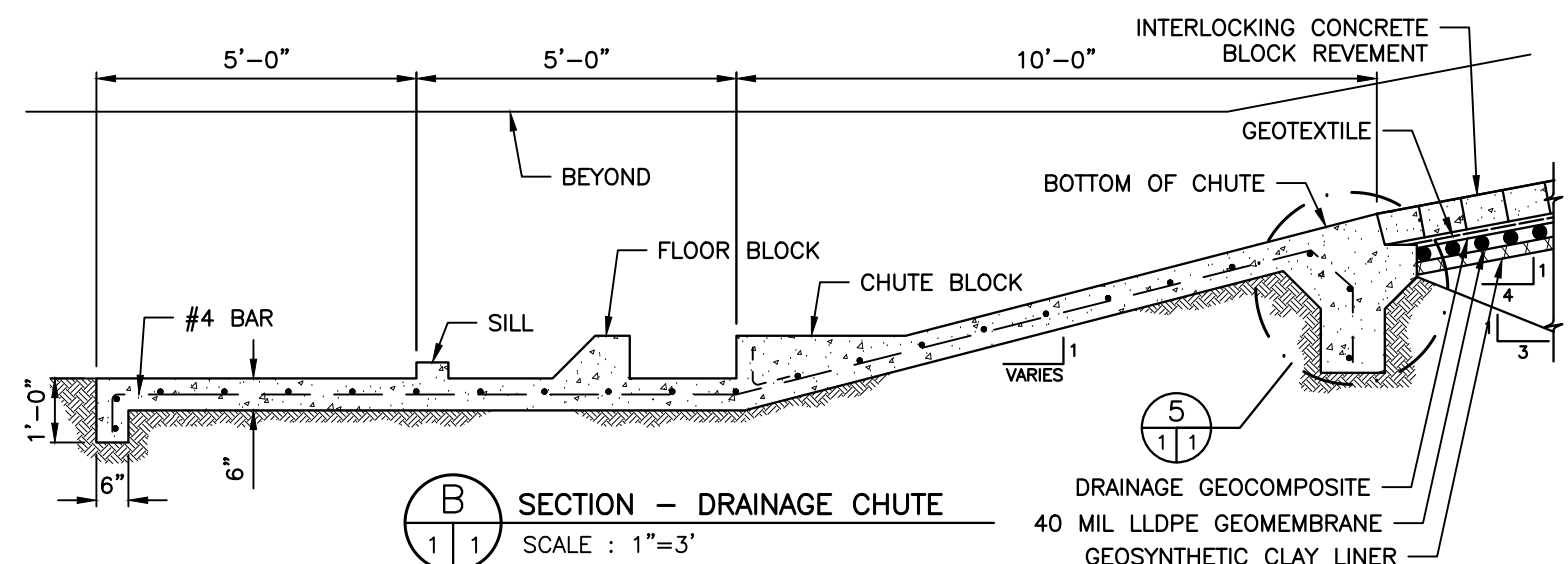
3 DETAIL - VELOCITY ARRESTER
SCALE : 1"=5'



5 DETAIL - DRAINAGE CHUTE
SCALE : 1"=2'



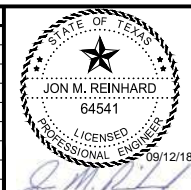
A SECTION - VELOCITY ARRESTER
SCALE : 1"=3'



B SECTION - DRAINAGE CHUTE
SCALE : 1"=3'

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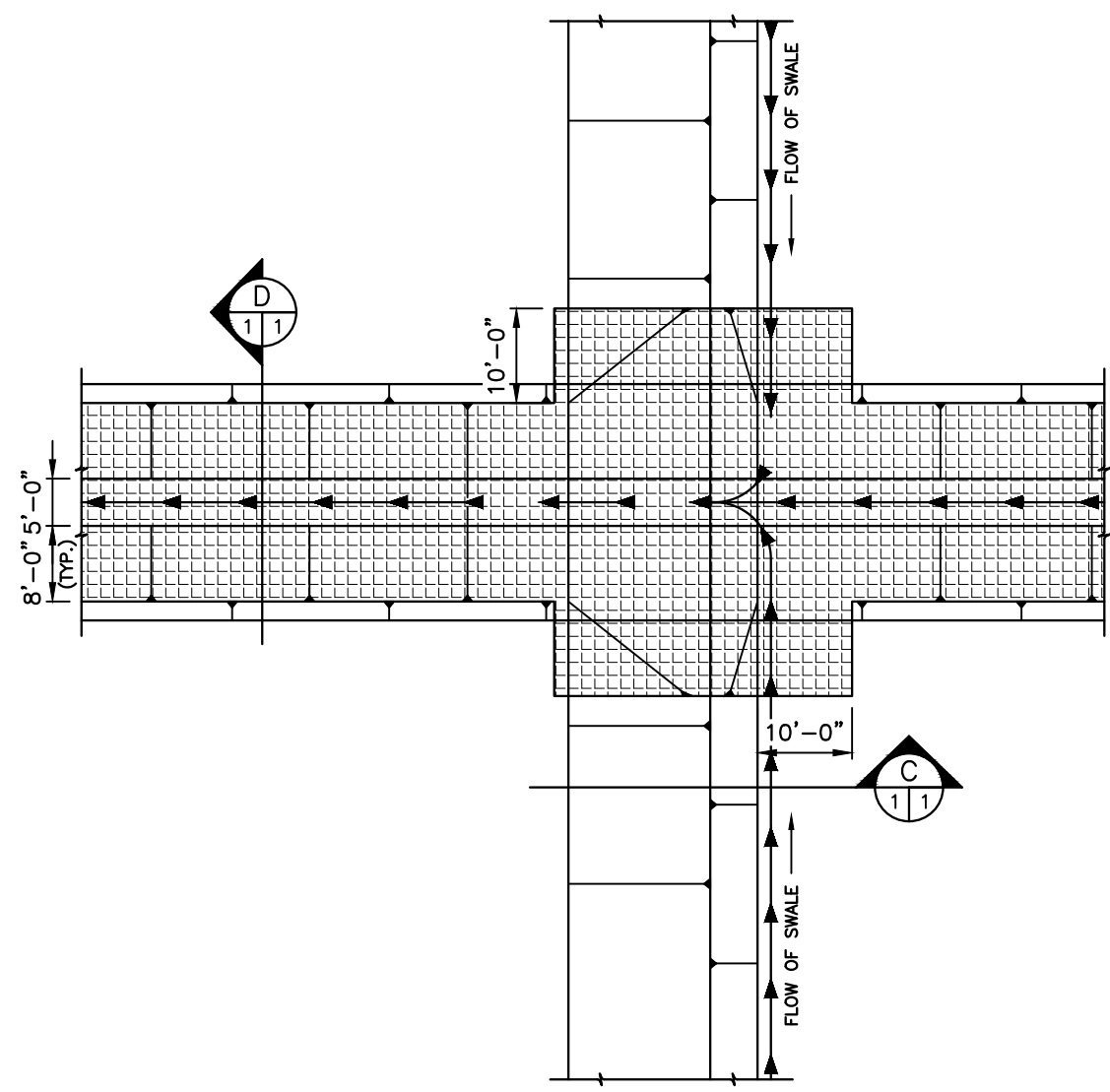
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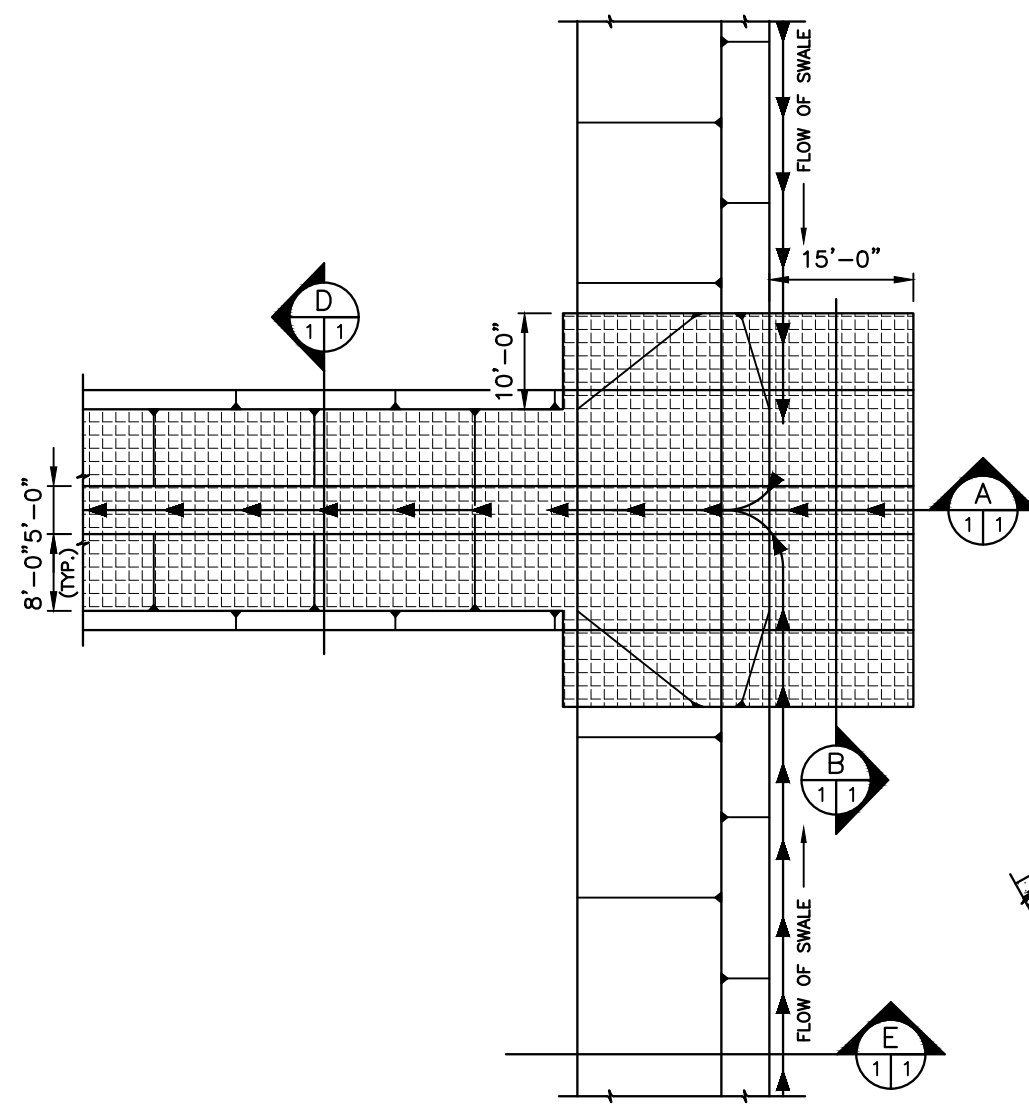
PART III, ATTACHMENT 3
DRAINAGE CHUTE DETAILS OUTLET
CITY OF KINGSVILLE LANDFILL
MSW PERMIT No. 235-C
KINGSVILLE, TEXAS
KLEBERG COUNTY, TEXAS

FIGURE:
III.3-3

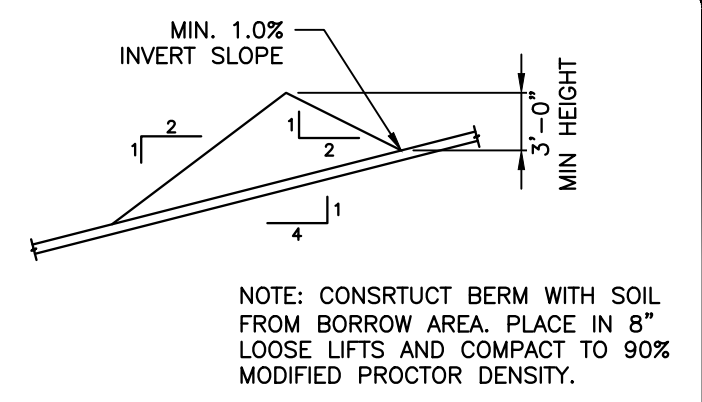
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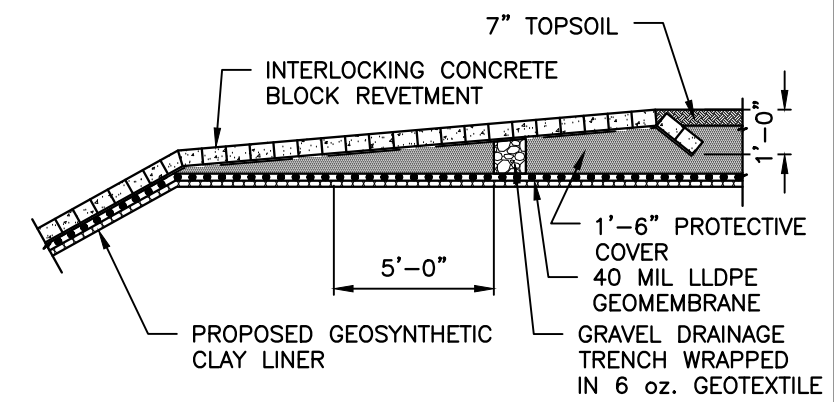
6 DETAIL - MID SIDE SLOPE DRAINAGE CHUTE CONFLUENCE
 SCALE : 1"=20'



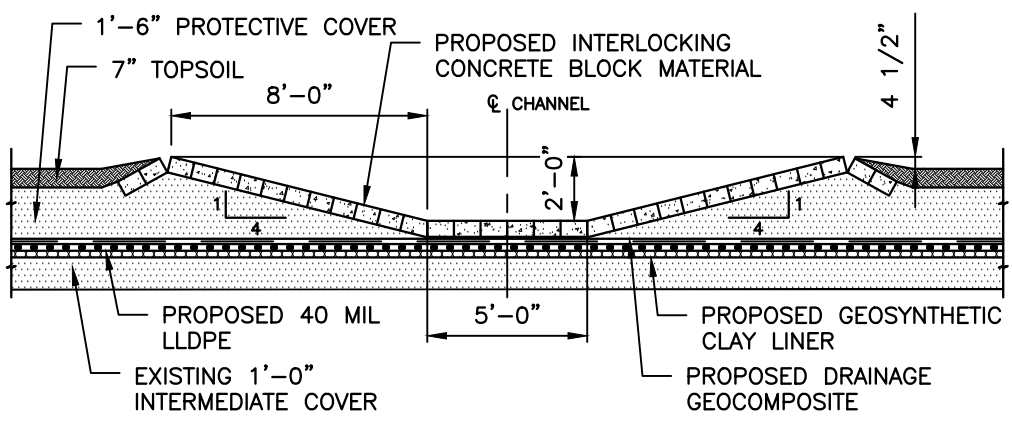
7 DETAIL - DRAINAGE CHUTE TOP ENTRANCE
 SCALE : 1"=20'



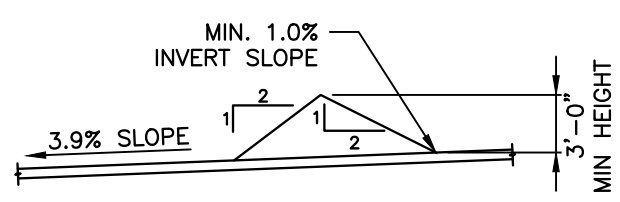
C SECTION - SIDE SLOPE BERM ON 4:1 SLOPE
 SCALE : 1"=10'



A SECTION - DRAINAGE CHUTE
 SCALE : 1"=6'

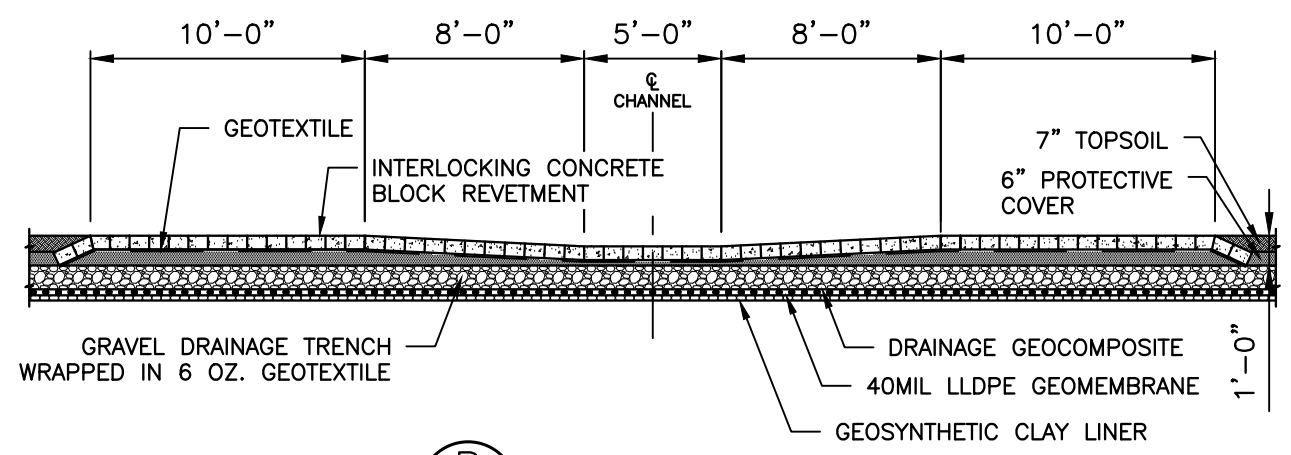


D SECTION - DRAINAGE CHUTE STRUCTURE
 SCALE : 1"=6'



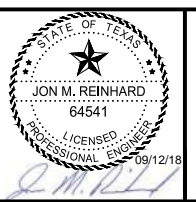
NOTE: CONSRTECT BERM WITH SOIL FROM BORROW AREA. PLACE IN 8" LOOSE LIFTS AND COMPACT TO 90% MODIFIED PROCTOR DENSITY.

E SECTION - TOP SLOPE BERM ON 3.9% SLOPE
 SCALE : 1"=10'



B SECTION - DRAINAGE CHUTE
 SCALE : N.T.S.

NUMBER	REVISION	DATE	DRAWN	DESIGNED	REVIEWED



Hanson No.	1610438
Filename	8514-03-FLOODPLAIN-MAP
Scale	AS SHOWN
Date	09/12/2018
LAYOUT	DT 09/12/2018
DRAWN	DT 09/12/2018
REVIEWED	JMR 09/12/2018



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PART III, ATTACHMENT 3
 DRAINAGE CHUTE DETAILS
 CITY OF KINGSVILLE LANDFILL
 MSW PERMIT No. 235-C
 KINGSVILLE, TEXAS
 KLEBERG COUNTY, TEXAS

FIGURE:
III.3-4