SCS ENGINEERS

June 16, 2020 SCS Project No. 16216088.00

Ms. Dawn Dollins **Business & Program Services Section** Waste Permits Division (MC-126) Texas Commission on Environmental Quality 12100 Park 35 Circle, Bldg. F Austin, TX 78753

Re: Administrative Notice of Deficiency Letter, Parts III and IV

City of Waco Landfill

Waco, McLennan and Limestone Counties, Texas Proposed Municipal Solid Waste Permit Number: 2400 Tracking No. 23201563; RN110471307/CN600131940

New Type I Municipal Solid Waste Landfill

Dear Ms. Dollins:

On behalf of the City of Waco, SCS Engineers has prepared the following response to the Texas Commission on Environmental Quality's (TCEQ's) June 12, 2020 Administrative Notice-of-Deficiency (NOD) letter, related to submittal of Parts III and IV of a permit application for the proposed City of Waco Landfill, TCEQ Permit No. MSW-2400. Attached to this response letter, we have included one original and three copies of all revised pages for use as replacement pages in the permit application.

For ease of review, we have included your original comment from the June 12, 2020 Administrative NOD, followed by our response and/or revision in bold/italics.

A1. Please update the information for the Waco-McLennan Health District. The contact name is incorrect according to their website.

In response to this comment we have updated the following in the Part I Form:

- City Health Authority we have updated the contact information on Page 6 to include the Director of the Waco-McLennan County Public Health District.
- County Health Authority we have updated the contact information on Page 7 with the current Health Authority for Waco-McLennan County Public Health District. Documentation showing the Certificate of Appointment and Oath of Office for E. Farley Verner, M.D. is attached to this response.
- A2. Please correct the street name as per their website.

In response to a follow-up email on 6/12/2020 related to this comment, we have updated the Part 1 Form on Page 7A to correct the street address for the Limestone County Judge.

A3. Please provide an electronic set of mailing labels. Names and addresses must be typed in the format required by the U.S. Postal Service for machine readability. The list is to be 30 names, addresses, etc. (10 per column) per page (MS WORD Avery Standard 5160).

This comment has been addressed as requested.



Ms. Dawn Dollins June 16, 2020 Page 2

Note, mailing labels provided reflect changes made to property ownership as documented in Technical NOD-1 response for Parts I/II, dated 1/8/2019.

We trust that our responses will assist you in the completion of your administrative review. If you have any questions or need additional information, please do not hesitate to contact Ryan Kuntz, P.E. at (817) 358-6117.

Sincerely,

Ryan Kuntz, P.E.

Vice President/Project Director

SCS Engineers

TBPE Registration No. F-3407

Attachments: as described herein

cc: Mr. Charles Dowdell, City of Waco

Mr. Jeffrey Reed, Lloyd Gosselink Rochelle & Townsend, P.C.

UPDATED PART I FORM FOR NEW PERMIT/REGISTRATION AND AMENDMENT APPLICATIONS FOR AN MSW FACILITY

Facility Name: City of Waco Landfill Permittee/Registrant Name: City of Waco

MSW Authorization #:2400 Initial Submittal Date: 8/7/2018

Revision Date: 6/15/2020



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

1.	Reason for Submittal		
	☐ Initial Submittal		ncy (NOD) Response
2.	Authorization Type		
	□ Permit	Registration	
3.	Application Type		
	New	☐ Major Amendme	ent
		_	ent (Limited Scope)
4.	Application Fees		
	☐ Pay by Check	○ Online Payment	
	If paid online, e-Pay Confirmat	ion Number: 582EA	000311862
5.	Application URL		
	Is the application submitted for Type I Arid Exempt (AE) and/or Type IV AE facility? ☐ Yes ☐ No		
	res		
	If the answer is "No", provide the application and all rehttp://http://www.waco-te	evisions to that applic	•
6.	Application Publishing		
	Party Responsible for Publishin	g Notice:	
	Applicant Applicant	gent in Service	□ Consultant
	Contact Name: Ryan R. Kunt	z, P.E.	Title: Vice President /Project
	Director		

Facility Name: City of Waco Landfill Initial Submittal Date: 8/7/2018 MSW Authorization #: 2400 Revision Date: 6/15/2020 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 \bowtie No 8. Public Place Location of Application Name of the Public Place: Waco-McLennan County Central Library Physical Address: 1717 Austin Avenue City: Waco County: McLennan State: TX Zip Code: 76701 (Area code) Telephone Number: 254.750.5941 9. Consolidated Permit Processing Is this submittal part of a consolidated permit processing request, in accordance with 30 TAC Chapter 33? ☐ Yes \boxtimes No ■ Not Applicable If "Yes", state the other TCEQ program authorizations requested: 10. Confidential Documents Does the application contain confidential documents? ☐ Yes \boxtimes 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 Not Permit or Approval Received Pending **Applicable** Hazardous Waste Management Program under the П П \boxtimes Texas Solid Waste Disposal Act Underground Injection Control Program under the \boxtimes Texas Injection Well Act National Pollutant Discharge Elimination System Program under the Clean Water Act and Waste \bowtie Discharge Program under Texas Water Code, Chapter 26 Prevention of Significant Deterioration Program under the Federal Clean Air Act (FCAA). \boxtimes Nonattainment Program under the FCAA National Emission Standards for Hazardous Air

Research and Sanctuaries Act

Pollutants Preconstruction Approval under the FCAA
Ocean Dumping Permits under the Marine Protection

 \boxtimes

 \boxtimes

Permit or Approval	Received	Pending	Not Applicable	
Dredge or Fill Permits under the CWA			\boxtimes	
Licenses under the Texas Radiation Control Act				
Other (describe)				
12. General Facility Information				
Facility Name: City of Waco Landfill				
Contact Name: Charles Dowdell	Title	e: Directo i	r of Solid	
Waste				
MSW Authorization No. (if available): 2400				
Regulated Entity Reference No. (if issued)*: RN110471307				
Physical or Street Address (if available): 4730 T K Parkway				
City: Axtell County: McLennan & Limestone State: TX Zip Code: 76624				
(Area Code) Telephone Number: (254) 750-1601				
Latitude (Degrees, Minutes Seconds): N 31° 42' 05.31"				
Longitude (Degrees, Minutes Seconds): W 96° 55' 52.07"				
Benchmark Elevation (above mean sea level): ft.				
Provide a description of the location of the facility with respect to known or easily identifiable landmarks: approximately 0.4 mile south of the intersection of TK Parkway and State Highway 31 in McLennan County				
Detail access routes from the nearest United States or state highway to the facility: approximately 0.4 mile south of the intersection of TK Parkway and State Highway 31 in McLennan County				
*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 IV ∏ Type IV AE	∐ Type V ∏ Type VI	
14. Activities Conducted at the Facility			
☐ Storage	☐ Processing	□ Disposal	

15. Facility Waste Management Unit(s)		
∠ Landfill Unit(s)	☐ Incinerator(s)	
☐ Class 1 Landfill Unit(s)	☐ Autoclave(s)	
☐ Process Tank(s)	Refrigeration Unit(s)	
☐ Storage Tank(s)	☐ Mobile Processing Unit(s)	
☐ Tipping Floor	☐ Type VI Demonstration Unit	
☐ Storage Area	☐ Compost Pile(s) and/or Vessel(s)	
☐ Container(s)	☐ Other (Specify)	
☐ Roll-off Boxes	☐ Other (Specify)	
Surface Impoundment	Other (Specify)	

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.

Proposed Type I Municipal Solid Waste Landfill located on 502.5 acres of land in McLennan and Limestone Counties, designed in accordance with Title 30, Texas Administrative Code, Chapter 330. The primary purpose of this landfill is to serve as a replacement for the current City of Waco landfill (MSW Permit No. 948A). The landfill will provide disposal capacity for residences, businesses, and industries primarily in the communities of McLennan and Limestone Counties and other nearby counties. The landfill will provide disposal of household waste, yard waste, commercial waste, Class 2/3 non-hazardous industrial wastes, C/D waste, and special wastes authroized by TCEQ. Includes submittal of Parts III and IV of the permit application.

Site Operator (Permittee/Registrant) Name: City of Waco Customer Reference No. (if issued)*: CN600131940 Contact Name: Charles Dowdell Title: Director of Solid Waste Mailing Address: 501 Schroeder Drive City: Waco County: McLennan State: TX Zip Code: 76710 (Area Code) Telephone Number: (254) 750-1601 Email Address: charlesd@wacotx.gov TX Secretary of State (SOS) Filing Number: *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 Permittee						
	Customer Reference No. (if issued)*:						
	Contact Name:		Title	e:			
	Mailing Address:						
	•	• 5	State:	Zip	Code:		
	(Area Code) Telep	hone Numbe	er:				
	Email Address:						
	TX SOS Filing Num	nber:					
	¹ If the Operator is the *If the Operator does r with this application. Li	not have this nu	ımber, complet	e a TCEQ Co			
	Consultant Name	e (if applica	ble): SCS	Engineer	s, TBPE Re	egistration No.	F-3407
	Texas Board of Pro	ofessional En	gineers Firm	n Registrat	tion Numbe	r:	
	Contact Name: R	yan R. Kunt	z, P.E.		Title: Vice	e Pres., Pr. Dire	ector
	Mailing Address:	1901 Centra	al Drive, Su	iite 550			
	City: Bedford Co	ounty: Tarr a	ant State:	TX Zip C	ode: 7602	1	
	(Area Code) Telep	hone Numbe	er: 817.35 8	3.6117			
	E-Mail Address: rkuntz@scsengineers.com						
	Agent in Service Name (required only for out-of-state):						
	Mailing Address:						
	City: Cou	ınty:	State:	Zip	Code:		
	(Area Code) Telephone Number:						
	E-Mail Address:						
18	. Facility Supervi	isor's Licen	se				
	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	19. Ownership Status of the Facility						
	Corporation		nited Partne	rshin		I Government	
	☐ Individual		y Governme	-		Government	
	Sole Proprietors	_	unty Govern		☐ Military		
			ate Governm			Specify):	
	☐ General Partne	ranip 🗀 Sta	ate Governin	ICIII	□ 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:

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: Waco

District Engineer's Name: **Stanley Swiatek, P.E.**Street Address or P.O. Box: **100 S. Loop Drive**

City: Waco County: McLennan State: TX Zip Code: 76704-2858

(Area Code) Telephone Number: (254) 867-2700

E-Mail Address (optional):

The Local Governmental Authority Responsible for Road Maintenance (if applicable): N.A.

Contact Person's Name:

Street Address or P.O. Box:

City: County: State: Zip Code:

(Area Code) Telephone Number:

E-Mail Address (optional):

City Mayor Information

City Mayor's Name: **Kyle Deaver** Office Address: **300 Austin Ave**

City: Waco County: McLennan State: TX Zip Code: 76702

(Area Code) Telephone Number: **(254) 750-5750**E-Mail Address (optional): **kyle.deaver@wcotx.gov**

City Health Authority: Waco-McLennan County Public Health District

Contact Person's Name: **Dr. Brenda Gray, Director**Street Address or P.O. Box: **225 W. Waco Drive**

City: Waco County: McLennan State: TX Zip Code: 76707

(Area Code) Telephone Number: (254) 750-5450

E-Mail Address (optional):

Facility Name: City of Waco Landfill

MSW Authorization #: 2400

Initial Submittal Date: 8/7/2018

Revision Date: 6/15/2020

County Judge Information

County Judge's Name: Scott M. Felton

Street Address or P.O. Box: **501 Washington Ave, Room 214**City: **Waco** County: **McLennan** State: **TX** Zip Code: **76701**

(Area Code) Telephone Number: (254) 757-5049

E-Mail Address (optional):

County Health Authority: Waco-McLennan County Public Health District

Contact Person's Name: E. Farley Verner, M.D.

Street Address or P.O. Box: **7030 New Sanger Road, Suite 202**City: **Waco** County: **McLennan** State: **TX** Zip Code: **76712**

(Area Code) Telephone Number: **(254) 855-9790**E-Mail Address (optional): **farleyverner@gmail.com**

State Representative Information

District Number: 12

State Representative's Name: Kyle Kacal

District Office Address: 3000 Briarcrest Dr., Ste 203

City: Bryan County: Brazos State: TX Zip Code: 77802

(Area Code) Telephone Number: 979-774-7276

E-Mail Address (optional):

State Senator Information

District Number: 22

State Senator's Name: **The Honorable Brian Birdwell** District Office Address: **900 Austin Ave, Suite 500**

City: Waco County: McLennan State: TX Zip Code: 76701

(Area Code) Telephone Number: (254) 772-6225

E-Mail Address (optional):

Council of Government (COG) Name: Heart of Texas

COG Representative's Name: Falen Bohannon

COG Representative's Title: **Solid Waste Program Manager**

Street Address or P.O. Box: 1514 S. New Road

City: Waco County: McLennan State: TX Zip Code: 76711

(Area Code) Telephone Number: (254)292-1800

E-Mail Address (optional): Falen.Bohannon@hot.cog.tx.us

Facility Name: City of Waco Landfill

MSW Authorization #: 2400

Initial Submittal Date: 8/7/2018

Revision Date: 6/15/2020

County Judge Information

County Judge's Name: Limestone County Judge: Honorable Richard Duncan

Street Address or P.O. Box: 200 W. State ST., Ste 101

City: Groesbeck County: Limestone State: TX Zip Code: 76642

(Area Code) Telephone Number: 254-729-3810

E-Mail Address (optional):

County Health Authority: Limestone Medical Center

Contact Person's Name: Dr. Jeffrey Rettig

Street Address or P.O. Box: 204 W. Trinity Street

City: Groesbeck County: Limestone State: TX Zip Code: 76642

(Area Code) Telephone Number: 254-729-3740

E-Mail Address (optional):

State Representative Information

District Number: 12

State Representative's Name: Kyle Kacal

District Office Address: 3000 Briarcrest Dr., Ste 203

City: Bryan County: Brazos State: TX Zip Code: 77802

(Area Code) Telephone Number: 979-774-7276

E-Mail Address (optional):

State Senator Information

District Number: 5

State Senator's Name: Charles Schwertner

District Office Address: 3000 Briarcrest Drive, Suite 202

City: Bryan County: Brazos State: TX Zip Code: 77802

(Area Code) Telephone Number: 979-776-0222

E-Mail Address (optional):

Council of Government (COG) Name: Heart of Texas

COG Representative's Name: Falen Bohannon

COG Representative's Title: **Solid Waste Program Manager**

Street Address or P.O. Box: 1514 S. New Road

City: Waco County: McLennan State: TX Zip Code: 76711

(Area Code) Telephone Number: (254)292-1800

E-Mail Address (optional): Falen.Bohannon@hot.cog.tx.us

River Basin Authority Name: Brazos River Authority
Contact Person's Name: Phil Ford
Watershed Sub-Basin Name:
Street Address or P.O. Box: 4600 Cobbs Drive
City: Waco County: McLennan State: TX Zip Code: 76710
(Area Code) Telephone Number: (888) 922-6272
E-Mail Address (optional):
Coastal Management Program
Is the facility within the Coastal Management Program boundary?
☐ Yes
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
Local Government Jurisdiction
Within City Limits of:
Within Extraterritorial Jurisdiction of:
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
(If "Yes", provide a copy of the ordinance or order as an attachment):

Facility Name: City of Waco Landfill MSW Authorization #: 2400

Initial Submittal Date: 8/7/2018

Revision Date: 6/15/2020

Signature Page

I, <u>Wiley Stem III</u> , (Site Operator (Permittee/Registrant)'s Authorized Signatory)	<u>City Manager,</u> (Title)
certify under penalty of law that this document and all attachment my direction or supervision in accordance with a system designed personnel properly gather and evaluate the information submittee the person or persons who manage the system, or those persons gathering the information, the information submitted is, to the be belief, true, accurate, and complete. I am aware there are signiff submitting false information, including the possibility of fine and violations. Signature:	nts were prepared under d to assure that qualified d. Based on my inquiry of directly responsible for est of my knowledge and
TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS STREPRESENTATIVE FOR THE OPERATOR	IGNED BY AN AUTHORIZED
I,, hereby designate	esentative Name)
as my representative and hereby authorize said representative to submit additional information as may be requested by the Commitme at any hearing or before the Texas Commission on Environme with this request for a Texas Water Code or Texas Solid Waste Difurther understand that I am responsible for the contents of this a statements given by my authorized representative in support of the compliance with the terms and conditions of any permit which mighting application.	ission; and/or appear for ental Quality in conjunction sposal Act permit. I application, for oral he application, and for
Printed or Typed Name of Operator or Principal Executive Officer	
Signature	
SUBSCRIBED AND SWORN to before me by the said Wiley SY On this 10th day of June, 2020 My commission expires on the 31st day of March, 2022 Notary Public in and for My County, Texas (Note: Application Must Bear Signature & Seal of Notary Public)	NITA H MAYS Notary Public, State of Texas Comm. Expires 03-31-2022 Notary ID 1117522-0
•	(Site Operator (Permittee/Registrant)'s Authorized Signatory) certify under penalty of law that this document and all attachment my direction or supervision in accordance with a system designer personnel properly gather and evaluate the information submitted the person or persons who manage the system, or those persons gathering the information, the information submitted is, to the be belief, true, accurate, and complete. I am aware there are significations. Signature: TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNATURE FOR THE OPERATOR I, hereby designate (Print or Type Operator Name) (Print or Type Representative and hereby authorize said representative to submit additional information as may be requested by the Commitment at any hearing or before the Texas Commission on Environment with this request for a Texas Water Code or Texas Solid Waste Difurther understand that I am responsible for the contents of this a statements given by my authorized representative in support of the compliance with the terms and conditions of any permit which mithis application. Printed or Typed Name of Operator or Principal Executive Officer Signature SUBSCRIBED AND SWORN to before me by the said Wiley Sylvany and some spires on the Sylvany and sylvany. Notary Public in and for County, Texas

Facility Name: City of Waco Landfill Initial Submittal Date: 8/7/2018

MSW Authorization #: 2400 Revision Date: 6/15/2020

Part I Attachments

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

Required Attachments	Attachment No.
Supplementary Technical Report	X
Property Legal Description	X
Property Metes and Bounds Description	X
Facility Legal Description	X
Facility Metes and Bounds Description	X
Metes and Bounds Drawings	X
On-Site Easements Drawing	X
Land Ownership Map	X
Land Ownership List	X
Electronic List or Mailing Labels	X
Texas Department of Transportation (TxDOT) County Map	X
General Location Map	X
General Topographic Map	X
Verification of Legal Status	X
Property Owner Affidavit	X
Evidence of Competency	X
Additional Attachments as Applicable- Select all those apply and ac	dd as necessary
□ TCEQ Core Data Form(s)	X
Signatory Authority Delegation	X
☐ Fee Payment Receipt	X
☐ Confidential Documents	
☐ Waste Storage, Processing and Disposal Ordinances	
☐ Final Plat Record of Property	
☐ Certificate of Fact (Certificate of Incorporation)	
Assumed Name Certificate	

WACO-MCLENNAN COUNTY PUBLIC HEALTH DISTRICT CERTIFICATE OF APPOINTMENT AND OATH OF OFFICE



Certificate of Appointment for a

Health Authority

The Health Authority has been appointed and approved by the:

(Check the appropriate designation below)	
Commissioners Court for	County
Governing Body for the Municipality of	
Director,	Health Department
Director, Waw. My Lennau Coun-	Public Health District
I, Shewy Williams (Check the appropriate designation below)	
County Judge or Designee	
Mayor or Designee Non-physician and the Local Health Department D Non-physician and the Public Health District Direc	
do hereby certify the physician, E. Farle, Verner M. by the Texas Board of Medical Examiners, was duly appointed as the Health Authority	the (check as applicable),
for the jurisdiction of Male Lennan County	, Texas.
Date term of office begins January 1, 20 18	
Date term of office ends <u>Securber 31</u> , 20 1Q unless 1	removed by law.
I certify to the above information on this the 354 day of 5	anuary , 2018.
Signature of Amointing Official	
Signature of Abhainting Official	



OATH OF OFFICE

For Health Authorities in the State of Texas

the State of Texas and will t	, do solemnly swear (or execute the duties of the office of Health Authority of the best of my ability, preserve, protect, and defend the United States and of this State, so help me God.
the Constitution and laws of	
Affi	ant Carles Cernary
<u>70</u> Mai	30 New Sanger Rd STE 202, Waco TX iling Address ZIP, 76712
(Ar	ea Code) Phone Number (day and evening)
Em	Farley ver ven @ gmail.com ail Address
SWORN TO and subscribed befo	ore me this 23rd day of January, 2018.
$\frac{}{\mathrm{Sign}}$	1eadys a. Hand nature of Person Administering Oath
-	Hadys A. Hand
Λ	lotary
GLADYS A. HAND Titl	e

Revised by DSHS Division for Regional and Local Health Services, June 3, 2016

Notary Public STATE OF TEXAS

MY COMM. EXP. 1/14/2019



City of Waco 300 Austin Avenue Waco, TX 76702 Baugh Connally E 4396 TK Pkwy Axtell, TX 76624

Dunlap Billie J 536 St Hwy 31 Mt. Calm, TX 76673 Griffin Kids Collectables 201 N 38th St Waco, TX 76710

Dunlap Joe W & Cynthia 211 State Hwy 31 Mt. Calm, TX 76673 Reed David L 3444 TK Pkwy Axtell, TX 76624

Trayler James F 796 LCR 114 Waco, TX 76705 Jameson Mary Jo Grubbs Trustee et al 1910 Channing Park Dr Arlington TX 76013

Lee Mike Rex et al 3096 Happy Swaner Ln Axtell, TX 76624 Coggin Mary Ruth 532 LCR 112 Axtell, TX 76624

Swaner Fred Lee Jr 4351 TK Pkwy Axtell, TX 76624 Tant Horn 609 Norma Waco, TX 76705

Swaner Troy Don 3132 Lovers Ln Dallas, TX 75225 Paul Barenkamp 8233 Purdue Tyler, TX 75701

Foster Jayme L 4418 TK Pkwy Axtell, TX 76624

Jim B. Horn Rt. 1, Box 60 Axtell, TX 76624