

October 19, 2021  
SCS Project No. 16216088.00

Mr. Eric Clegg  
Municipal Solid Waste Permits Section  
Waste Permits Division (MC-126)  
Texas Commission on Environmental Quality  
12100 Park 35 Circle, Bldg. F  
Austin, TX 78753

Re: Proposed City of Waco Landfill - McLennan and Limestone Counties, Texas  
Municipal Solid Waste - Permit Application No. 2400  
New Permit Application – Supplemental Information Submittal  
Tracking No. 23201563 [25533209/25817489]; RN110471307/CN600131940

Dear Eric:

On behalf of the City of Waco, SCS Engineers (SCS) has prepared this supplemental information submittal to update specific items related to the subject permit application pertaining to the following:

- Update to the Part 1 Form to: (1) reference the Biggs Memorial Library (Limestone County) where the application will also be posted for public viewing; and (2) update City of Waco Mayor Information for the current mayor.
- Revision to Parts I/II – General Application Requirements, Section 5, related to Landowners' Map and List. Table 5-1 of this Section has been revised to reference an affidavit from the McLennan County Appraisal District (MCAD) related to an unknown property owner (i.e., Property No. 6). This affidavit confirms the non-existence of property ownership of Tract 999444, listed under Property No. 6 on Table 5-1. A copy of this affidavit is included at the end of Parts I/II, Section 5.
- Revisions to Parts I/II – General Application Requirements, Section 8.1, related to Traffic Information. This section was revised to include a statement that the City will not begin accepting waste until improvements to FM 939 and SH-31 listed in that section are completed.
- Additions to Parts I/II, Appendix I/IIA, related to coordination with FAA. This appendix has been updated to include documentation of an extension of the previous FAA determination that expired on 09/10/2021.
- Revision to Part III, Attachment 1 – Site Layout Plans. This attachment was revised with the location and survey information for the site benchmark depicted on Drawing 1.1, and
- Revision to Part IV – Site Operating Plan, Section 4.7, related to Landfill Markers and Benchmark. This section was revised to include a description of the site benchmark and a reference to the current benchmark depicted on Drawing 1.1.

Attached to this letter, we have included one original and two (2) unmarked copies, and one marked copy of all revised pages for use as replacement pages in the permit application. We have identified proposed changes from the existing permit application in a redline/strike-out version (i.e., marked version). Additionally, we have included a revision date (October 2021) and revision number on pages that have been revised as part of this submittal. Furthermore, we have attached a signed Part 1 Form, and posted this response on the publically accessible internet website <http://www.waco-texas.com/landfill-application-process.asp>.

Mr. Eric Clegg  
October 19, 2021  
Page 2

If you have any questions or need additional information, please do not hesitate to contact Ryan Kuntz, P.E. at (817) 358-6117.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ryan Kuntz', with a stylized, cursive script.

Ryan Kuntz, P.E.  
Vice President/Satellite Office Manager  
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.

**TCEQ PART 1 FORM FOR NEW PERMIT FOR A MSW FACILITY (TCEQ-0650)**

Facility Name: City of Waco Landfill  
Permittee/Registrant Name: City of Waco  
MSW Authorization #:2400  
Initial Submittal Date: 8/7/2018  
Revision Date: 10/18/2021



**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                      ☒ Notice of Deficiency (NOD) Response

**2. Authorization Type**

☒ Permit                                      ☐ Registration

**3. Application Type**

☒ New    ☐ Major Amendment  
☐ Major Amendment (Limited Scope)

**4. Application Fees**

☐ Pay by Check                              ☒ Online Payment

If paid online, e-Pay Confirmation Number: **582EA000311862**

**5. Application URL**

Is the application submitted for Type I Arid Exempt (AE) and/or Type IV AE facility?

☐ Yes                                      ☒ 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://http://www.waco-texas.com/landfill-application-process.asp>

**6. Application Publishing**

Party Responsible for Publishing Notice:

☐ Applicant                      ☐ Agent in Service                      ☒ Consultant

Contact Name: **Ryan R. Kuntz, P.E.**  
**Director**

Title: **Vice President /Project**



## 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: **Waco-McLennan County Central Library / Gibbs Memorial Library**

Physical Address: **1717 Austin Avenue / 305 East Rusk Street**

City: **Waco / Mexia** County: **McLennan / Limestone** State: **TX** Zip Code: **76701 / 76667**

(Area code) Telephone Number: **254.750.5941 / 254.562.3231**

## 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 type="checkbox"/>	<input checked="" 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"/>

Permit or Approval	Received	Pending	Not Applicable
Ocean Dumping Permits under the Marine Protection Research and Sanctuaries Act	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe)	<input 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 Waco Landfill**

Contact Name: **Charles Dowdell**

Title: **Director 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° 41' 54.23"**

Longitude (Degrees, Minutes Seconds): **W 96° 55' 43.89"**

Benchmark Elevation (above mean sea level): **541.15** 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 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 type="checkbox"/> Other (Specify)                  |
| <input type="checkbox"/> Roll-off Boxes              | <input type="checkbox"/> Other (Specify)                  |
| <input type="checkbox"/> Surface Impoundment         | <input type="checkbox"/> 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. Includes submittal of Parts III and IV of the permit application, and responses to technical notice of deficiency letters dated 11/19/18, 2/14/19, 8/19/2020, 11/9/2020, 1/21/2021, 4/19/2021, and May 26, 2021.**

### 17. Facility Contact Information

**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 Name<sup>1</sup>: same as Permittee**

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:

<sup>1</sup>If 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): SCS Engineers, TBPE Registration No. F-3407**

Texas Board of Professional Engineers Firm Registration Number:

Contact Name: **Ryan R. Kuntz, P.E.**

Title: **Vice Pres., Pr. Director**

Mailing Address: **1901 Central Drive, Suite 550**

City: **Bedford** County: **Tarrant** State: **TX** Zip Code: **76021**

(Area Code) Telephone Number: **817.358.6117**

E-Mail Address: **rkuntz@scsengineers.com**

**Agent in Service Name (required only for out-of-state):**

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**

☐ Corporation

☐ Limited Partnership

☐ Federal Government

☐ Individual

☒ City Government

☐ Other Government

☐ Sole Proprietorship

☐ County Government

☐ Military

☐ General Partnership

☐ State Government

☐ 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: **Dillion Meek**

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): **dillon.meek@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):

**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**

**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 ☒ 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:

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 ☒ No

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



## Signature Page

I, Bradley Ford, \_\_\_\_\_  
(Site Operator (Permittee/Registrant)'s Authorized Signatory) \_\_\_\_\_ City Manager,  
(Title) (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: \_\_\_\_\_

Date: 10-19-21

-----  
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 Bradley Ford

On this 19<sup>th</sup> day of October, 2021

My commission expires on the 4<sup>th</sup> day of January, 2025

Christina Podsednik

Notary Public in and for

McLennan County, Texas

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



## Part I Attachments

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

<b>Required Attachments</b>	<b>Attachment No.</b>
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
<b>Additional Attachments as Applicable- Select all those apply and add as necessary</b>	
<input checked="" type="checkbox"/> TCEQ Core Data Form(s)	X
<input checked="" type="checkbox"/> Signatory Authority Delegation	X
<input checked="" type="checkbox"/> Fee Payment Receipt	X
<input type="checkbox"/> Confidential Documents	
<input type="checkbox"/> Waste Storage, Processing and Disposal Ordinances	
<input type="checkbox"/> Final Plat Record of Property	
<input type="checkbox"/> Certificate of Fact (Certificate of Incorporation)	
<input type="checkbox"/> Assumed Name Certificate	

**MARKED VERSION**

**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

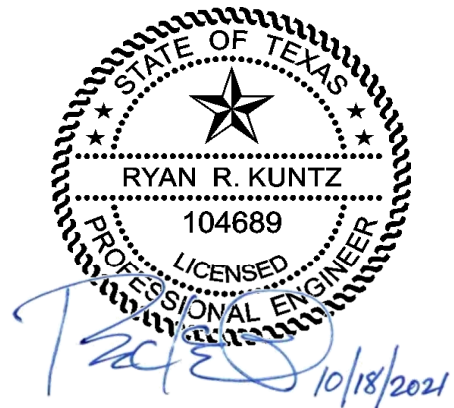
**PARTS I/II  
GENERAL APPLICATION REQUIREMENTS**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**  
Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

Revision 0 - August 2018, September 2018 (Admin NOD #1)

Revision 1 – January 2019

Revision 2 – March 2019

Revision 3 – October 2020

Revision 4 – December 2020

Revision 5 – April 2021

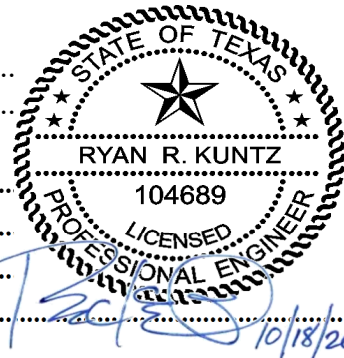
Revision 6 – June 2021

Revision 7 – October 2021

SCS Project No. 16216088.00

## TABLE OF CONTENTS

<b>SECTION</b>	<b>PAGE</b>
LIST OF ACRONYMS .....	iv
SUPPLEMENTARY TECHNICAL REPORT .....	v
SUPPLEMENTARY TECHNICAL REPORT .....	v
1 INTRODUCTION.....	1-1
2 GENERAL INFORMATION .....	2-1
2.1 Project Overview .....	2-1
2.2 Waste Acceptance Plan (30 TAC §330.61(b)) .....	2-1
2.3 Easements and Buffer Zones.....	2-3
2.4 Agency Coordination .....	2-3
3 EXISTING CONDITIONS SUMMARY (30 TAC §330.61(a)) .....	3-1
4 MAPS (30 TAC §330.59(c)).....	4-1
5 LANDOWNERS' MAP AND LIST.....	5-1
6 AERIAL PHOTOGRAPH .....	6-1
7 LAND-USE AND IMPACT ON SURROUNDING AREA (30 TAC §330.61(g) & (h)).....	7-1
7.1 Land Use Analysis (30 TAC §330.61(g) & (h)(1)-(4)) .....	7-1
7.2 Water Wells Within 500 Feet (30 TAC §330.61(h)(5)) AND ONE-MILE (30 TAC §330.61(h)(6)(A)) .....	7-1
7.3 Abandoned Oil and Water Wells (30 TAC §330.61(l)) .....	7-1
8 TRANSPORTATION (30 TAC §330.61(i)).....	8-1
8.1 Traffic Information .....	8-1
8.2 Airports (30 TAC §330.619(c)(8) & §330.545).....	8-2
9 GENERAL GEOLOGY AND SOILS STATEMENT (30 TAC §330.61(i)) .....	9-1
9.1 Regional Geologic Setting .....	9-1
9.2 Site Geology .....	9-1
9.3 On-Site Soils .....	9-1
9.4 Fault Areas.....	9-2
9.5 Seismic Impact Zones.....	9-2
9.6 Unstable Areas.....	9-3
10 GROUNDWATER AND SURFACE WATER STATEMENTS (30 TAC §330.(k)) .....	10-1
10.1 Groundwater Statement.....	10-1
10.2 Surface Water Statement .....	10-1
11 FLOODPLAIN AND WETLANDS STATEMENT (30 TAC §330.61(m)) .....	11-1
11.1 Floodplain Statement.....	11-1
11.2 Wetlands Statement.....	11-1
12 PROTECTION OF ENDANGERED or threatened SPECIES (30 TAC §330.61(n)).....	12-1



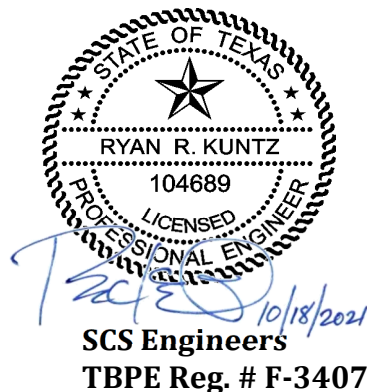
13	LEGAL DESCRIPTION (30 TAC §330.59(d)(1)).....	13-1
14	PROPERTY OWNER AFFIDAVIT (30 TAC §330.59(d)(2)) .....	14-1
15	LEGAL AUTHORITY (30 TAC §330.59(e)) .....	15-1
16	EVIDENCE OF COMPETENCY (30 TAC §330.59(f)) .....	16-1
16.1	City of Waco.....	16-1
16.2	The City of Waco Key Personnel.....	16-1
16.3	Equipment to be Dedicated to this Landfill.....	16-2
16.4	Other Permits / Authorizations.....	16-4
17	APPOINTMENTS (30 TAC §330.59(g)) .....	17-1

## Drawings

Drawing I/II-1: Site Location Map  
Drawing I/II-2: General Topographic Map (includes Wind Rose)  
Drawing I/II-3: Landowner's Map  
Drawing I/II-4: Aerial Photograph (9 inch X 9 inch)  
Drawing I/II-5: Facility Layout Map  
Drawing I/II-6: Regional Tectonic/Geology Map  
Drawing I/II-7: Seismic Impact Map

## Appendices

I/IIA Demonstration of Coordination  
I/IIB Water, Oil, and Natural Gas Well Search  
I/IIC Land-Use Analysis  
I/IID Traffic Analysis  
I/IID-1 TxDOT Waco District Traffic Map  
I/IID-2 Traffic Impact Analysis  
I/IIIE Section 404 Approved Jurisdictional Determination  
I/IIF Certified City Charter  
I/IIG Biological Assessment  
I/IIH Union Pacific Railroad, Release and Quitclaim of Easement



## 5 LANDOWNERS' MAP AND LIST

In accordance with 30 TAC §330.59(c)(3)(B) and §305.45(a)(6)(D), the landowners' list presents the names and mailing addresses of the landowners of property within one-quarter (1/4) mile of the Site, as provided in Table 5-1. The numbering in the landowners list corresponds to the numbers on Drawing I/II-3, which depicts the locations of the landowners. The landowners' list and map are based on the McLennan, Limestone, and Hill County Appraisal Districts' property records, as of April 2018. Additionally, mineral interest owners shown in Table 5-2 were identified in the real property records for McLennan and Limestone Counties as provided by the Title company. Neither McLennan nor Limestone Counties identify mineral interests in their real property appraisal records.

**Table 5-1 Landowners**

1.	City of Waco 300 Austin Avenue Waco, TX 76702	7.	Te Kay Ranch*	13.	Confidential Owner – Prop ID 352815 4396 TK Pkwy Axtell, TX 76624
2.	City of Waco 300 Austin Avenue Waco, TX 76702	8.	Lee Mike Rex et al 3096 Happy Swaner Ln Axtell, TX 76624	14.	Rigby Steven William & Elisabeth Anne 4070 TK Pkwy Axtell, TX 76624
3.	Dunlap Billie J 536 St Hwy 31 Mt. Calm, TX 76673	9.	Swaner Fred Lee Jr 4351 TK Pkwy Axtell, TX 76624	15.	Reed David L 3444 TK Pkwy Axtell, TX 76624
4.	Dunlap Joe W & Cynthia 211 State Hwy 31 Mt. Calm, TX 76673	10.	JWL Interests LLC - Series Ranch 1 3132 Lovers Lane Dallas, TX 75225	16.	Jameson Mary Jo Grubbs Trustee et al 1910 Channing Park Dr Arlington TX 76013
5.	Trayler James F 796 LCR 114 Waco, TX 76705	11.	City of Waco 300 Austin Avenue Waco, TX 76702	17.	Coggin Mary Ruth 532 LCR 112 Axtell, TX 76624
6.	Unknown Right-of-Way Ownership*	12.	Powser Victoria & Cody 4418 TK Pkwy Axtell, TX 76624		

\*No information available per Kevin Fikes at the McLennan County Appraisal District (MCAD).

See affidavit on subsequent pages 5-4 to 5-7 from MCAD confirming that MCAD does not have any records showing the ownership of this tract (Property No. 6).

**MCLENNAN COUNTY APPRAISAL DISTRICT**  
**AFFIDAVIT OF THE NON-EXISTENCE OF CERTAIN PUBLIC RECORDS**



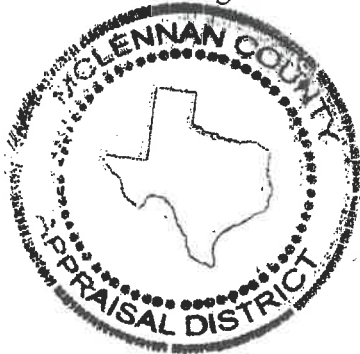
**AFFIDAVIT OF THE MCLENNAN COUNTY APPRAISAL DISTRICT**  
**OF THE NON-EXISTENCE OF CERTAIN PUBLIC RECORDS**

STATE OF TEXAS                   §  
   §  
COUNTY OF MCLENNAN       §

Before me, the undersigned authority, personally appeared Joe Don Bobbitt, who, being by me duly sworn, stated under oath as follows:

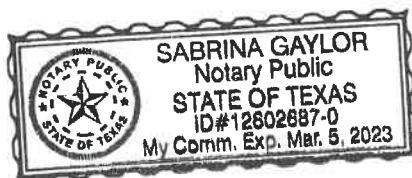
1. My name is Joe Don Bobbitt. I am of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated herein.
2. I am the Chief Appraiser of the McLennan County Appraisal District ("MCAD"). In my position as the Chief Appraiser, I am familiar with the business practices of MCAD, and with the manner in which its records are created and maintained.
3. In the course of its regularly conducted business activity, MCAD regularly records, keeps, and preserves property records indicating ownership and formal mailing addresses for properties situated in McLennan County, Texas, and makes that information available online.
4. Exhibit A, attached hereto, is a true and correct copy of a portion of the McLennan County Property Map as it is available online. Property 999444 is shown on Exhibit A.
5. Exhibit B, attached hereto, is a true and correct copy of a portion of the McLennan County Property Map as it is available online. Property Information for Tract 999444 is shown on Exhibit B.

6. After a thorough and diligent search, MCAD could not locate any records showing the ownership of Tract 999444.
7. These types of records would have been recorded, kept, and preserved in accordance with MCAD's regular business practices if such records existed. They do not.
8. Affiant states nothing further.



Joe Don Bobbitt  
Joe Don Bobbitt, Chief Appraiser for  
McLennan County Appraisal District

SWORN TO AND SUBSCRIBED before me on the 20<sup>th</sup> day of August,  
2020.

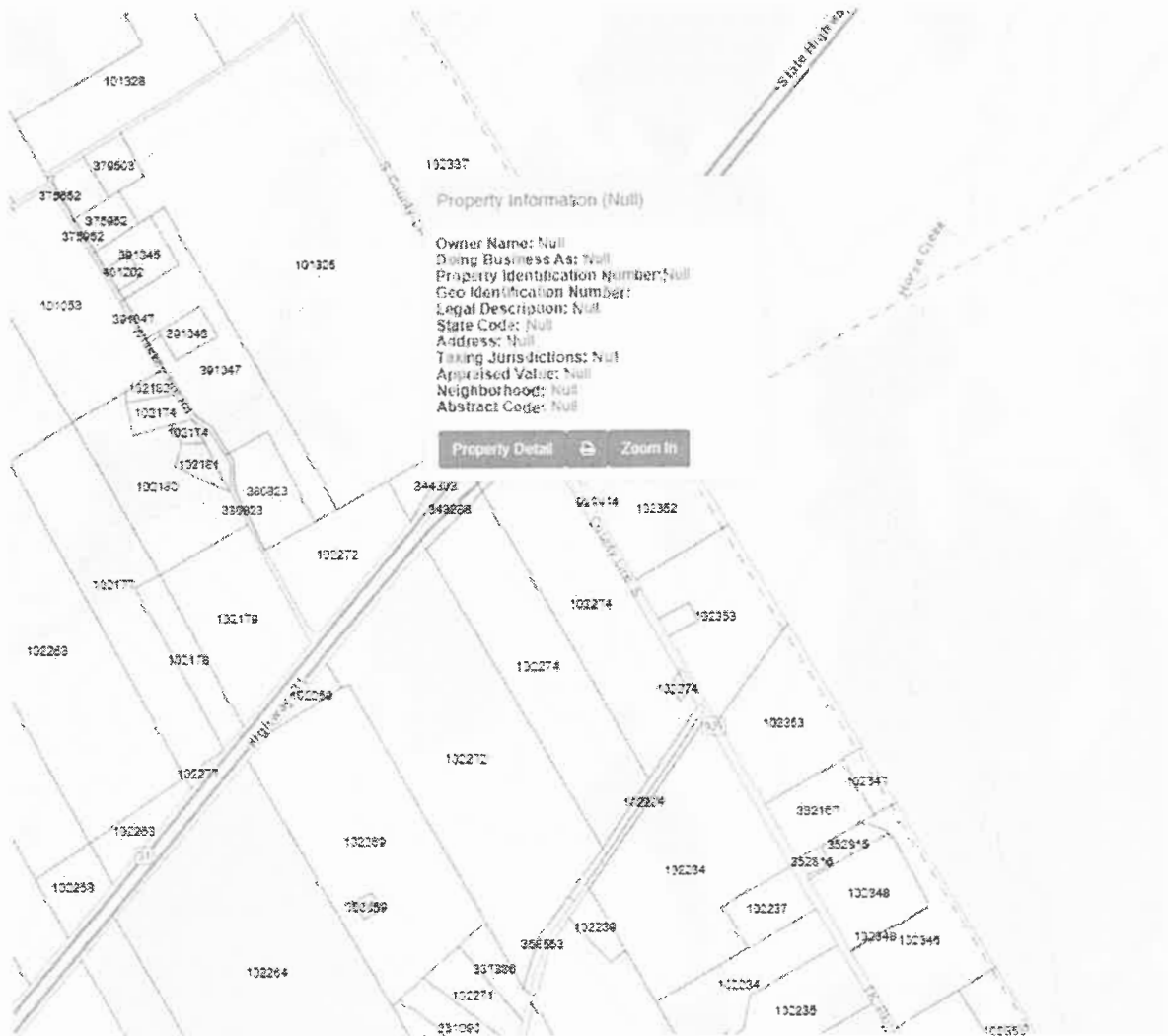


Sabrina Gaylor  
Notary Public, State of Texas  
Printed name: Sabrina Gaylor  
My commission expires: 3/5/23

Exhibit A



## Exhibit B



- Adding eight-foot shoulders on both sides of FM 939 between SH 31 and the landfill entrance;
- Adding a southbound left-turn lane for vehicles entering the facility entrance; and
- Adding a northbound right-turn lane for vehicles entering the facility entrance.

The City will not begin accepting waste until these improvements are completed. The City is not planning to construct a westbound acceleration lane and yellow/red flashing beacons and intersection illumination on SH 31 (as discussed in the TIA) because they are not needed, and even if installed, would be removed when TxDOT constructs the overpass discussed above. Coordination with TxDOT, Waco District, related to review and approval of the TIA, dated March 25, 2020, is included in Appendix I/IIA.

## 8.2 AIRPORTS (30 TAC § 330.619(C)(8) & § 330.545)

There are no airports as defined by 30 TAC § 330.3(5) located within a six mile radius of the landfill, as depicted on Drawing I/II-1. Coordination with the FAA is included in Appendix I/IIA. Based on the FAA's response to this coordination, the FAA has no objection to the proposed Type I landfill (see Appendix I/IIA).

## APPENDIX I/IIA

### DEMONSTRATION OF COORDINATION (30 TAC 330.61)

- Coordination with Texas Parks and Wildlife Department
- Coordination with U.S. Department of the Interior, Fish and Wildlife Service
- Coordination with Texas Historic Commission
- Coordination with U.S. Army Corp of Engineers
- Coordination with Texas Department of Transportation
- Coordination with Heart of Texas Council of Governments
- Coordination with Federal Aviation Administration

## COORDINATION WITH FEDERAL AVIATION ADMINISTRATION



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

Aeronautical Study No.  
2021-ASW-8000-OE  
Prior Study No.  
2018-ASW-13879-OE

Issued Date: 06/24/2021

Ryan Kuntz  
SCS Engineers  
1901 Central Drive  
Suite 550  
Bedford, TX 76021

**\*\* 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 Waco Landfill TCEQ Permit No.MSW-2400
Location:	Leroy, TX
Latitude:	31-42-26.30N NAD 83
Longitude:	96-55-12.60W
Heights:	554 feet site elevation (SE) 150 feet above ground level (AGL) 704 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:

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 in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 12/24/2022 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.
- (b) extended, revised, or terminated by the issuing office.
- (c) 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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

If we can be of further assistance, please contact our office at (817) 222-5933, or [andrew.hollie@faa.gov](mailto:andrew.hollie@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASW-8000-OE.

**Signature Control No: 484240013-485863404**

( DNE )

Andrew Hollie  
Specialist

Attachment(s)  
Case Description  
Map(s)

Please see attached.

# TOPO Map for ASN 2021-ASW-8000-OE





**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

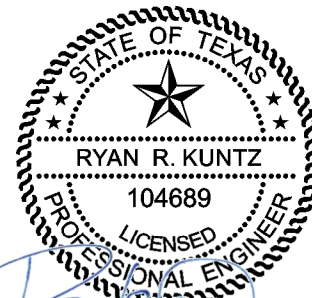
**PART III  
SITE DEVELOPMENT PLAN  
ATTACHMENT 1  
SITE LAYOUT PLANS**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



*Handwritten signature and date: 10/18/2021*

**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**

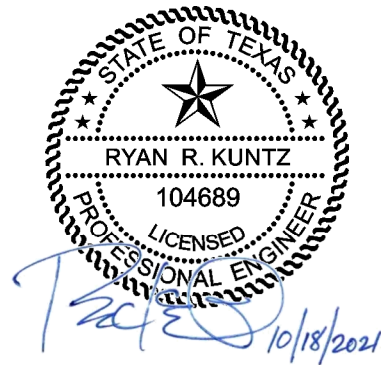
Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

Revision 0 – April 2020  
Revision 1 – October 2020  
Revision 2 – October 2021  
SCS Project No. 16216088.00

## TABLE OF CONTENTS

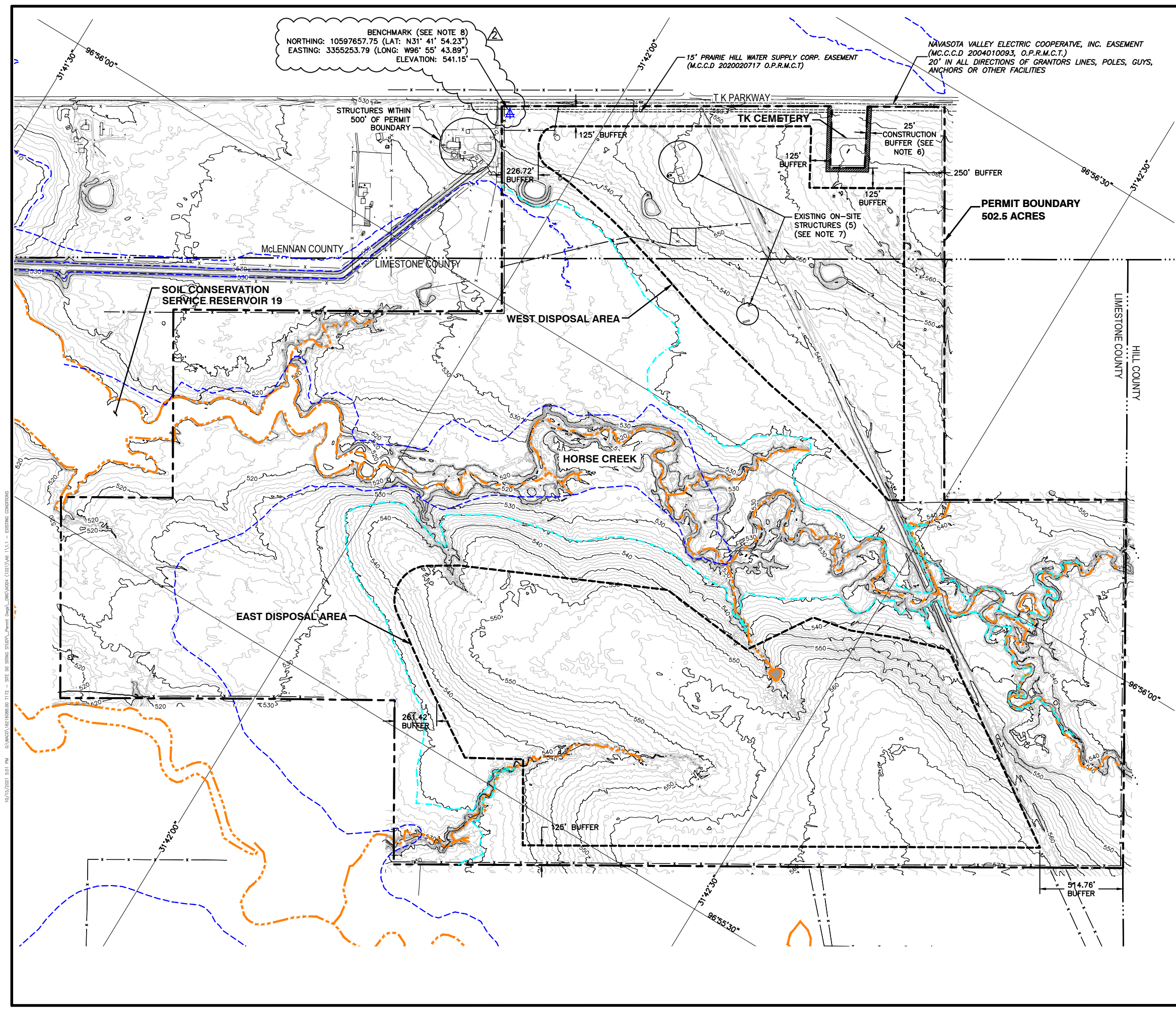
### Drawings

- 1.1 Existing Conditions Plan
- 1.2 Detailed Facility Layout and Sequence Plan
- 1.3 East Disposal Area Excavation Plan
- 1.4 West Disposal Area Excavation Plan
- 1.5 Entrance Facility Plan
- 1.6 Waste Flow Diagram



**SCS Engineers**  
**TBPE Reg. # F-3407**





03/14/2021 5:51 PM C:\WACO\16210086.00\112 - SITE 50 STRING STUDY\Permit\_Dwg\112\WACO\112.dwg (12/14/2021) - EXISTING CONDITIONS

0 300 600

SCALE IN FEET

LEGEND

--- PERMIT BOUNDARY

--- LIMITS OF WASTE

--- 560 EXISTING TOPOGRAPHIC CONTOURS (SEE NOTE 1)

--- COUNTY LINE

--- x EXISTING FENCE

--- 100-YEAR FLOOD PLAIN (SEE NOTE 2)

--- POTENTIAL JURISDICTIONAL WATER LOCATION (SEE NOTE 4)

--- 96°55'30" LATITUDE/LONGITUDE LINES

--- SURVEYED FLOWAGE EASEMENT (534.5' NGVD 29 CONTOUR, REFER TO NOTE 5)

△ BENCHMARK (SEE NOTE 8)

NOTES:

1. THE EXISTING TOPOGRAPHY SHOWN ON THIS PLAN WAS DEVELOPED BY DAS GEOSPATIAL FLOWN ON JULY 03, 2018.

2. 100-YEAR FLOOD PLAIN IS DESIGNATED AS ZONE A, BASED ON FIRM PANEL 48293C0125C, DATED 09/16/11 (LIMESTONE COUNTY), AND FIRM PANEL 48309C0250D, DATED 12/20/19 (MCLENNAN COUNTY).

3. CONSISTENT WITH TCEQ REGULATIONS A MINIMUM BUFFER ZONE OF 125' WILL BE MAINTAINED BETWEEN THE WASTE LIMIT BOUNDARY AND PERMIT BOUNDARY.

4. THE LOCATION OF THE POTENTIAL JURISDICTIONAL WATERS ARE REFERENCED FROM THE REPORT GENERAL JURISDICTION DETERMINATION PREPARED BY HORIZON ENVIRONMENTAL SERVICES, INC. (SEE APPENDIX I/IIA, AGENCY COORDINATION WITH THE COE).

5. A FLOWAGE EASEMENT EXISTS ON THE PROPERTY THAT IS UNDER THE JURISDICTION OF THE TECHUACANA CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER (1) OF LEROY, TEXAS SUBJECT TO THE EASEMENT RECORDED IN VOLUME 498, PAGE 118, VOLUME 506, PAGE 181, VOLUME 507, PAGE 378, AND VOLUME 509, PAGE 417 OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS.

6. IN ACCORDANCE WITH "AN INTENSIVE CULTURAL RESOURCES SURVEY OF THE CITY OF WACO'S PROPOSED SITE 50 LANDFILL PROJECT," PREPARED BY HORIZON ENVIRONMENTAL SERVICES, INC., DATED NOVEMBER 2018 (SEE APPENDIX I/IIA), A 25-FOOT CONSTRUCTION BUFFER WILL BE MAINTAINED AROUND TK CEMETERY TO PROTECT ANY POTENTIAL UNMARKED GRAVES OUTSIDE THE PRESENT MODERN DAY CEMETERY BOUNDARIES AND FENCING.

7. THE EXISTING STRUCTURES WITHIN THE BOUNDARY OF WASTE DISPOSAL AREA (WDA) WILL BE ABANDONED AND DEMOLISHED PRIOR TO DEVELOPMENT OF THE RESPECTIVE SECTORS (I.E. SECTORS 10 AND 11) OF THE WDA WHERE THE EXISTING STRUCTURE IS LOCATED.

8. THE BENCHMARK IS A BRASS SURVEY MARKER STAMPED WITH ELEVATION AND DATE AND SET IN CONCRETE. COORDINATES ARE NAD83 TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, AND NAVD88 VERTICAL DATUM.

STATE OF TEXAS

RYAN R. KUNTZ

104689

PROFESSIONAL ENGINEER

10/18/2021

FOR PERMITTING PURPOSES ONLY

REV	DATE	DESCRIPTION	BY
1	10/20/2020	REVISIONS INCLUDE: FLOODPLAIN, FLOWAGE EASEMENT, WATER SUPPLY EASEMENT, FIBER OPTIC EASEMENT, LIMITS OF WASTE, NOTE 2, AND RENUMBERED NOTES.	RRK
2	10/20/2021	ADDED BENCHMARK	RRK

EXISTING CONDITIONS PLAN	DRAWING TITLE
CITY OF WACO LANDFILL	PROJECT TITLE
TYPE I MSW - PERMIT APPLICATION	

CITY OF WACO	CLIENT
SOLID WASTE SERVICES	

SCS ENGINEERS	CONSULTING ENGINEERS	1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021	PH (817) 571-2288 FAX NO. (817) 571-2188
PROJ. NO. 16210086.00	DWN. BY: NR	CHECK BY: BJD	DATE: 04/2020
SCALE: AS SHOWN	DRAWING NO. 1.1		

**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

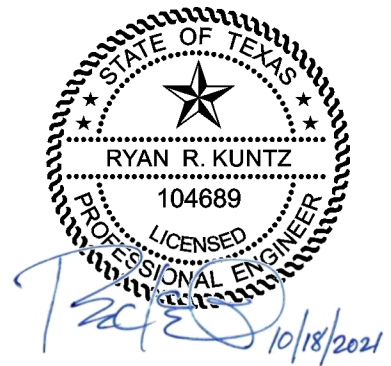
**PART IV  
SITE OPERATING PLAN**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**

Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

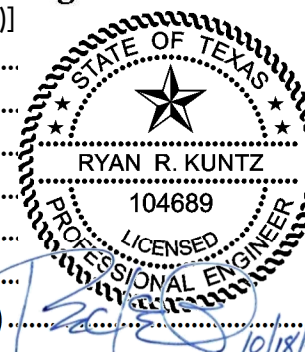
Revision 0 - April 2020  
Revision 1 – October 2020  
Revision 2 – June 2021  
Revision 3 – October 2021  
SCS Project No. 16216088.00



## TABLE OF CONTENTS

<b>SECTION</b>	<b>PAGE</b>
LIST OF ACRONYMS .....	iv
1 INTRODUCTION.....	IV-1-1
2 PERSONNEL AND TRAINING [30 TAC §330.127(1) and (4)] .....	IV-2-1
2.1 PERSONNEL.....	IV-2-1
2.2 TRAINING .....	IV-2-4
3 EQUIPMENT [30 TAC §330.127(2)].....	IV-3-1
4 OPERATIONAL PROCEDURES .....	IV-4-1
4.1 ACCESS CONTROL (30 TAC §330.131) .....	IV-4-1
4.2 UNLOADING WASTES (30 TAC §330.133).....	IV-4-3
4.3 FACILITY OPERATION HOURS (30 TAC §330.135).....	IV-4-5
4.4 SITE SIGNS (30 TAC §330.137).....	IV-4-6
4.5 CONTROL OF WINDBLOWN WASTES AND LITTER (30 TAC §330.139).....	IV-4-6
4.6 EASEMENTS AND BUFFER ZONES (30 TAC §330.141).....	IV-4-7
4.7 LANDFILL MARKERS AND BENCHMARK (30 TAC §330.143).....	IV-4-8
4.8 CONTROL OF WASTE SPILLED EN ROUTE TO THE SITE (30 TAC §330.145).....	IV-4-9
4.9 DISPOSAL OF LARGE ITEMS (30 TAC §330.147) .....	IV-4-9
4.10 AIR QUALITY CONTROL AND ODOR MANAGEMENT PLAN (30 TAC §330.149).....	IV-4-10
4.11 DISEASE VECTOR CONTROL (30 TAC §330.151).....	IV-4-12
4.12 MAINTENANCE OF SITE ACCESS ROADS (30 TAC §330.153) .....	IV-4-12
4.13 SALVAGING AND SCAVENGING (30 TAC §330.155) .....	IV-4-13
4.14 ENDANGERED SPECIES PROTECTION (30 TAC §330.157).....	IV-4-13
4.15 LANDFILL GAS MANAGEMENT (30 TAC §330.159) .....	IV-4-13
4.16 TREATMENT OF ABANDONED OIL, GAS, AND WATER WELLS (30 TAC §330.161).....	IV-4-13
4.17 COMPACTION OF SOLID WASTE (30 TAC §330.163).....	IV-4-14
4.18 SOIL MANAGEMENT: PLACEMENT, AND COMPACTION OF DAILY, INTERMEDIATE, AND FINAL COVER (30 TAC §330.165) .....	IV-4-14
4.19 PREVENTION OF PONDED WATER (30 TAC §330.167) .....	IV-4-17
4.20 DISPOSAL OF SPECIAL WASTES (30 TAC §330.171).....	IV-4-17
4.21 VISUAL SCREENING OF DEPOSITED WASTE (30 TAC §330.175).....	IV-4-20
4.22 LEACHATE AND GAS CONDENSATE RECIRCULATION (30 TAC §330.177).....	IV-4-21
5 DETECTION AND PREVENTION OF DISPOSAL OF UNAUTHORIZED WASTES [30 TAC §330.127(5)] .....	IV-5-1
5.1 GENERAL.....	IV-5-1
5.2 LOAD INSPECTION PROCEDURE .....	IV-5-2
5.3 RECORDKEEPING .....	IV-5-3

SCS Engineers  
TBPE Reg. # P-3407



5.4	TRAINING .....	IV-5-4
5.5	MANAGING UNAUTHORIZED WASTES.....	IV-5-4
6	FIRE PROTECTION PLAN (30 TAC §330.129).....	IV-6-1
6.1	FIRE PREVENTION PROCEDURES.....	IV-6-1
6.2	GENERAL RULES FOR FIRES.....	IV-6-2
6.3	SPECIFIC FIRE-FIGHTING PROCEDURES .....	IV-6-3
7	RECORDKEEPING REQUIREMENTS (30 TAC §330.125).....	IV-7-1
7.1	SITE OPERATING RECORD (§330.125(b)).....	IV-7-1
7.2	ANNUAL WASTE ACCEPTANCE RATE [30 TAC §330.125(h)] .....	IV-7-4
7.3	SLER/GLER SUBMITTALS (30 TAC §330.123) .....	IV-7-5

## **Figures**

IV2.1 Organizational Chart

## **Tables**

IV2.1 Minimum Number of Personnel  
IV2.2 Personnel Training Requirements  
IV3.1 Equipment  
IV4.1 Site Inspection and Maintenance Schedule  
IV7.1 Recordkeeping Requirements



**SCS Engineers**  
**TBPE Reg. # F-3407**

- SLER/GLER Area – Soil liner evaluation report/geomembrane liner evaluation report (SLER/GLER) markers will be painted red. The markers will be placed so that all areas for which a SLER/GLER has been submitted are readily determinable. Such markers are to provide site workers immediate knowledge of the extent of approved disposal areas. These markers will be located and protected so that they are not destroyed during operations until operations extend into the next SLER/GLER area. The location of these markers will be tied into the landfill grid system and will be reported on each SLER/GLER submitted. SLER/GLER markers will not be placed inside the constructed areas.
- 100-Year Floodplain – 100-Year floodplain protection markers will be painted blue. The markers will be installed for any area within the 100-year floodplain as delineated by FEMA. The area subject to flooding, including the 100-year storm event water surface boundary as defined in Attachment 6B, will be clearly marked by means of permanent post not more than 300 feet apart or closer if necessary to retain visual continuity.

The site will maintain at least one permanent benchmark at the site in an area readily accessible and will not be used for disposal. The benchmark(s) will be a bronze or brass survey marker, stamped with the elevation and survey date and set in concrete. The benchmark elevation will be surveyed from a known US Coast and Geodetic survey benchmark or other reliable source. The current benchmark location at the site is depicted on Drawing 1.1 (see Attachment 1).

#### 4.8 CONTROL OF WASTE SPILLED EN ROUTE TO THE SITE (30 TAC §330.145)

The Landfill Manager or designee will take steps to assure that vehicles hauling waste to the site are enclosed or provided with a tarpaulin, net, or other means to effectively secure the load. The steps taken by the Owner will include, as necessary, the posting of signs requiring the loads to be covered, refusing acceptance of uncovered loads, reporting offenders to the police, adding disposal surcharges, or other necessary means.

On a daily basis when the landfill is in operation, landfill personnel will inspect SH 31 and FM 939 for spilled waste for a distance of two miles in either direction from the landfill entrance used for the delivery of waste to the landfill. If spilled waste is found on these public-access roads within 2 miles from the landfill, such waste will be cleaned up by landfill personnel and delivered to the landfill, assuming such waste is suitable for disposal at the landfill. The Landfill Manager or designee will consult with Texas Department of Transportation (TxDOT) officials and McLennan and Limestone Counties concerning cleanup of these public-access roads consistent with 30 TAC §330.145. Cleanup of these public-access roads will include cleanup of the respective rights-of-way as well.

#### 4.9 DISPOSAL OF LARGE ITEMS (30 TAC §330.147)

A large item/white goods storage area will be provided at the CCS or other alternative location designated as the “large item salvage area.” Alternatively, large item/white goods will be diverted from the waste stream at the active working face, and routinely relocated to the storage area. Items that can be classified as large, heavy or bulky can include, but are not limited to,

white goods (household appliances), air conditioner units, metal tanks, large metal pieces and automobiles. These items will be recycled as demand warrants but will not be stored in excess of 180 days. Large items that are not recycled will be disposed of at the working face. Care will be taken during disposal of large items such that: (1) large items are excluded from the initial 5 feet of waste over the liner protective cover, (2) large items are placed such that they do not interfere with continued waste filling, and (3) other, smaller municipal solid waste is placed and compacted around them.

The Owner will properly manage chlorinated fluorocarbon (CFC) refrigerant from refrigerators, freezers, air conditioning units, or other items in accordance with 40 CFR §82.156(f). CFCs will be evacuated from refrigerators, freezers, or air conditioners by a third-party vendor, or landfill personnel certified to perform this activity, prior to landfilling or recycling the units at an offsite facility. Electrical equipment, which contain PCBs, will not be accepted, as provided in Section 5.

#### **4.10 AIR QUALITY CONTROL AND ODOR MANAGEMENT PLAN (30 TAC §330.149)**

##### **4.10.1 Air Quality**

Municipal solid waste landfills are subject to TCEQ regulations concerning burning and air pollution control. The following procedures will be implemented at the landfill for control of air pollution:

- Open burning of waste will not be permitted at the facility.
- Control of dust emissions (i.e. particulate matter control) from onsite access roads, as described in Section 4.12.
- Obtaining coverage under and complying with either the Standard Air Permit in 30 TAC Subchapter U or an individual air permit.
- For the mulching operation obtaining coverage under and complying with the air quality standard permit in 30 TAC §332.8. In accordance with §332.8(b), mulching operations will be performed as follows in order to comply with the air quality standard permit:
  - The setback distance from the property boundary for brush, untreated wood waste, yard waste, or mulch will 50 feet.
  - Except for initial start-up and shut-down, the receiving chamber on all grinders will be adequately filled prior to commencement of grinding. The receiving chambers will also remain full during grinding operations to minimize emissions from the grinder or wood chipper. In addition, the Owner will have portable watering equipment available during the grinding operations.
  - All conveyors which off-load materials from grinders will have available a water or mechanical dust suppression system.

**UNMARKED VERSION**

**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

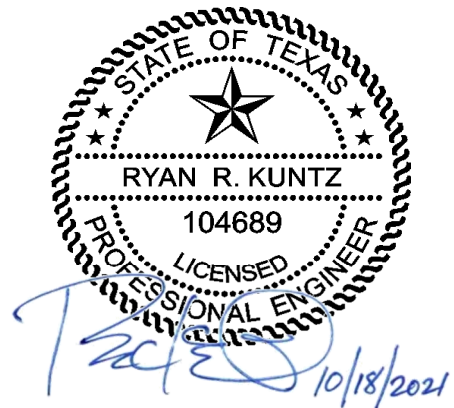
**PARTS I/II  
GENERAL APPLICATION REQUIREMENTS**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**  
Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

Revision 0 - August 2018, September 2018 (Admin NOD #1)

Revision 1 – January 2019

Revision 2 – March 2019

Revision 3 – October 2020

Revision 4 – December 2020

Revision 5 – April 2021

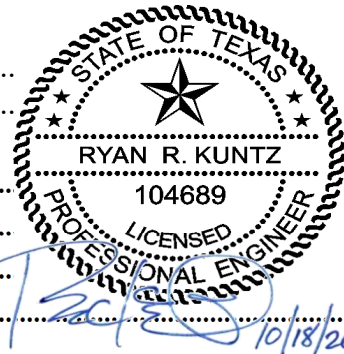
Revision 6 – June 2021

Revision 7 – October 2021

SCS Project No. 16216088.00

## TABLE OF CONTENTS

<b>SECTION</b>	<b>PAGE</b>
LIST OF ACRONYMS .....	iv
SUPPLEMENTARY TECHNICAL REPORT .....	v
SUPPLEMENTARY TECHNICAL REPORT .....	v
1 INTRODUCTION.....	1-1
2 GENERAL INFORMATION .....	2-1
2.1 Project Overview .....	2-1
2.2 Waste Acceptance Plan (30 TAC §330.61(b)) .....	2-1
2.3 Easements and Buffer Zones.....	2-3
2.4 Agency Coordination .....	2-3
3 EXISTING CONDITIONS SUMMARY (30 TAC §330.61(a)) .....	3-1
4 MAPS (30 TAC §330.59(c)).....	4-1
5 LANDOWNERS' MAP AND LIST.....	5-1
6 AERIAL PHOTOGRAPH .....	6-1
7 LAND-USE AND IMPACT ON SURROUNDING AREA (30 TAC §330.61(g) & (h)).....	7-1
7.1 Land Use Analysis (30 TAC §330.61(g) & (h)(1)-(4)) .....	7-1
7.2 Water Wells Within 500 Feet (30 TAC §330.61(h)(5)) AND ONE-MILE (30 TAC §330.45(A)(6)(A)) .....	7-1
7.3 Abandoned Oil and Water Wells (30 TAC §330.61(l)) .....	7-1
8 TRANSPORTATION (30 TAC §330.61(i)).....	8-1
8.1 Traffic Information .....	8-1
8.2 Airports (30 TAC §330.619(c)(8) & §330.545).....	8-2
9 GENERAL GEOLOGY AND SOILS STATEMENT (30 TAC §330.61(i)) .....	9-1
9.1 Regional Geologic Setting .....	9-1
9.2 Site Geology .....	9-1
9.3 On-Site Soils .....	9-1
9.4 Fault Areas.....	9-2
9.5 Seismic Impact Zones.....	9-2
9.6 Unstable Areas.....	9-3
10 GROUNDWATER AND SURFACE WATER STATEMENTS (30 TAC §330.(k)) .....	10-1
10.1 Groundwater Statement.....	10-1
10.2 Surface Water Statement .....	10-1
11 FLOODPLAIN AND WETLANDS STATEMENT (30 TAC §330.61(m)) .....	11-1
11.1 Floodplain Statement.....	11-1
11.2 Wetlands Statement.....	11-1
12 PROTECTION OF ENDANGERED or threatened SPECIES (30 TAC §330.61(n)).....	12-1



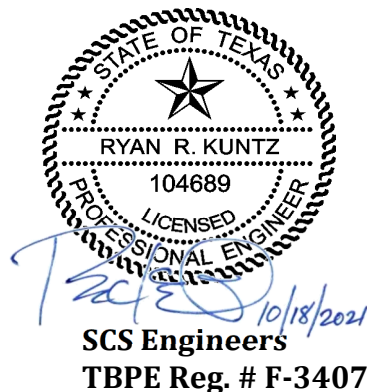
13	LEGAL DESCRIPTION (30 TAC §330.59(d)(1)).....	13-1
14	PROPERTY OWNER AFFIDAVIT (30 TAC §330.59(d)(2)) .....	14-1
15	LEGAL AUTHORITY (30 TAC §330.59(e)) .....	15-1
16	EVIDENCE OF COMPETENCY (30 TAC §330.59(f)) .....	16-1
16.1	City of Waco.....	16-1
16.2	The City of Waco Key Personnel.....	16-1
16.3	Equipment to be Dedicated to this Landfill.....	16-2
16.4	Other Permits / Authorizations.....	16-4
17	APPOINTMENTS (30 TAC §330.59(g)) .....	17-1

## **Drawings**

Drawing I/II-1: Site Location Map  
Drawing I/II-2: General Topographic Map (includes Wind Rose)  
Drawing I/II-3: Landowner's Map  
Drawing I/II-4: Aerial Photograph (9 inch X 9 inch)  
Drawing I/II-5: Facility Layout Map  
Drawing I/II-6: Regional Tectonic/Geology Map  
Drawing I/II-7: Seismic Impact Map

## **Appendices**

I/IIA Demonstration of Coordination  
I/IIB Water, Oil, and Natural Gas Well Search  
I/IIC Land-Use Analysis  
I/IID Traffic Analysis  
I/IID-1 TxDOT Waco District Traffic Map  
I/IID-2 Traffic Impact Analysis  
I/IIIE Section 404 Approved Jurisdictional Determination  
I/IIF Certified City Charter  
I/IIG Biological Assessment  
I/IIH Union Pacific Railroad, Release and Quitclaim of Easement





## 5 LANDOWNERS' MAP AND LIST

In accordance with 30 TAC §330.59(c)(3)(B) and §305.45(a)(6)(D), the landowners' list presents the names and mailing addresses of the landowners of property within one-quarter (1/4) mile of the Site, as provided in Table 5-1. The numbering in the landowners list corresponds to the numbers on Drawing I/II-3, which depicts the locations of the landowners. The landowners' list and map are based on the McLennan, Limestone, and Hill County Appraisal Districts' property records, as of April 2018. Additionally, mineral interest owners shown in Table 5-2 were identified in the real property records for McLennan and Limestone Counties as provided by the Title company. Neither McLennan nor Limestone Counties identify mineral interests in their real property appraisal records.

**Table 5-1 Landowners**

1.	City of Waco 300 Austin Avenue Waco, TX 76702	7.	Te Kay Ranch*	13.	Confidential Owner – Prop ID 352815 4396 TK Pkwy Axtell, TX 76624
2.	City of Waco 300 Austin Avenue Waco, TX 76702	8.	Lee Mike Rex et al 3096 Happy Swaner Ln Axtell, TX 76624	14.	Rigby Steven William & Elisabeth Anne 4070 TK Pkwy Axtell, TX 76624
3.	Dunlap Billie J 536 St Hwy 31 Mt. Calm, TX 76673	9.	Swaner Fred Lee Jr 4351 TK Pkwy Axtell, TX 76624	15.	Reed David L 3444 TK Pkwy Axtell, TX 76624
4.	Dunlap Joe W & Cynthia 211 State Hwy 31 Mt. Calm, TX 76673	10.	JWL Interests LLC - Series Ranch 1 3132 Lovers Lane Dallas, TX 75225	16.	Jameson Mary Jo Grubbs Trustee et al 1910 Channing Park Dr Arlington TX 76013
5.	Trayler James F 796 LCR 114 Waco, TX 76705	11.	City of Waco 300 Austin Avenue Waco, TX 76702	17.	Coggin Mary Ruth 532 LCR 112 Axtell, TX 76624
6.	Unknown Right-of-Way Ownership*	12.	Powser Victoria & Cody 4418 TK Pkwy Axtell, TX 76624		

\*No information available per Kevin Fikes at the McLennan County Appraisal District (MCAD).

See affidavit on subsequent pages 5-4 to 5-7 from MCAD confirming that MCAD does not have any records showing the ownership of this tract (Property No. 6).

**MCLENNAN COUNTY APPRAISAL DISTRICT  
AFFIDAVIT OF THE NON-EXISTENCE OF CERTAIN PUBLIC RECORDS**

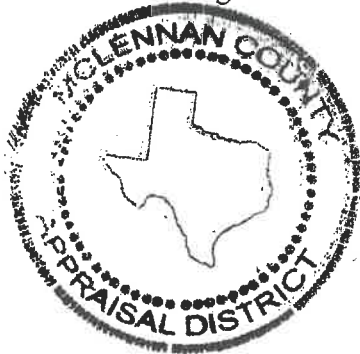
**AFFIDAVIT OF THE MCLENNAN COUNTY APPRAISAL DISTRICT**  
**OF THE NON-EXISTENCE OF CERTAIN PUBLIC RECORDS**

STATE OF TEXAS                   §  
  §  
COUNTY OF MCLENNAN       §

Before me, the undersigned authority, personally appeared Joe Don Bobbitt, who, being by me duly sworn, stated under oath as follows:

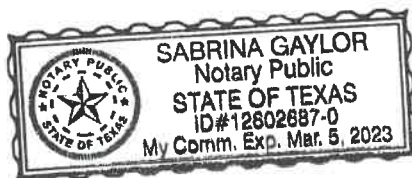
1. My name is Joe Don Bobbitt. I am of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated herein.
2. I am the Chief Appraiser of the McLennan County Appraisal District ("MCAD"). In my position as the Chief Appraiser, I am familiar with the business practices of MCAD, and with the manner in which its records are created and maintained.
3. In the course of its regularly conducted business activity, MCAD regularly records, keeps, and preserves property records indicating ownership and formal mailing addresses for properties situated in McLennan County, Texas, and makes that information available online.
4. Exhibit A, attached hereto, is a true and correct copy of a portion of the McLennan County Property Map as it is available online. Property 999444 is shown on Exhibit A.
5. Exhibit B, attached hereto, is a true and correct copy of a portion of the McLennan County Property Map as it is available online. Property Information for Tract 999444 is shown on Exhibit B.

6. After a thorough and diligent search, MCAD could not locate any records showing the ownership of Tract 999444.
7. These types of records would have been recorded, kept, and preserved in accordance with MCAD's regular business practices if such records existed. They do not.
8. Affiant states nothing further.



Joe Don Bobbitt  
Joe Don Bobbitt, Chief Appraiser for  
McLennan County Appraisal District

SWORN TO AND SUBSCRIBED before me on the 20<sup>th</sup> day of August,  
2020.

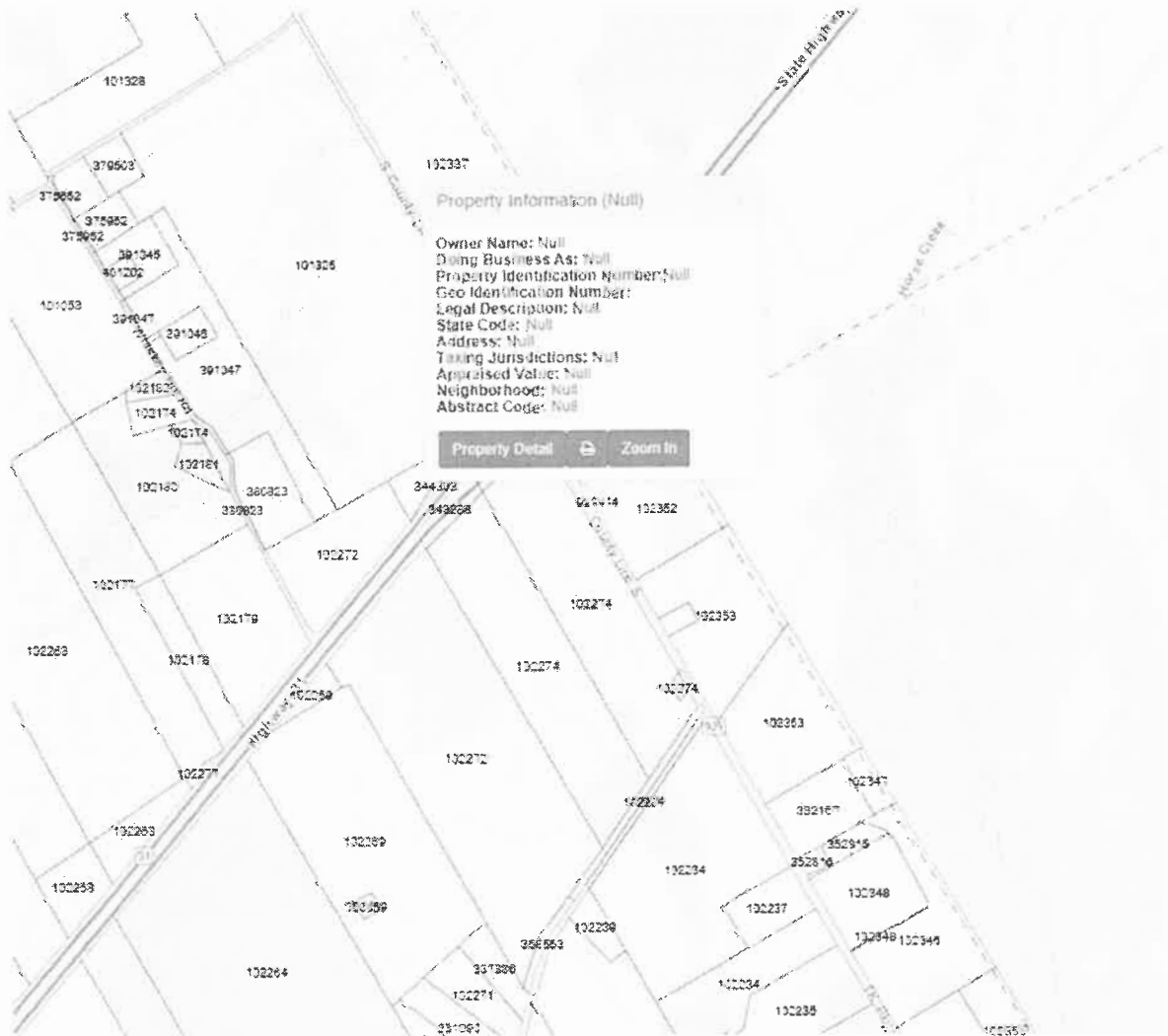


Sabrina Gaylor  
Notary Public, State of Texas  
Printed name: Sabrina Gaylor  
My commission expires: 3/5/23

## Exhibit A



## Exhibit B



- Adding eight-foot shoulders on both sides of FM 939 between SH 31 and the landfill entrance;
- Adding a southbound left-turn lane for vehicles entering the facility entrance; and
- Adding a northbound right-turn lane for vehicles entering the facility entrance.

The City will not begin accepting waste until these improvements are completed. The City is not planning to construct a westbound acceleration lane and yellow/red flashing beacons and intersection illumination on SH 31 (as discussed in the TIA) because they are not needed, and even if installed, would be removed when TxDOT constructs the overpass discussed above. Coordination with TxDOT, Waco District, related to review and approval of the TIA, dated March 25, 2020, is included in Appendix I/IIA.

## 8.2 AIRPORTS (30 TAC § 330.619(C)(8) & § 330.545)

There are no airports as defined by 30 TAC § 330.3(5) located within a six mile radius of the landfill, as depicted on Drawing I/II-1. Coordination with the FAA is included in Appendix I/IIA. Based on the FAA's response to this coordination, the FAA has no objection to the proposed Type I landfill (see Appendix I/IIA).

## **APPENDIX I/IIA**

### **DEMONSTRATION OF COORDINATION (30 TAC 330.61)**

- Coordination with Texas Parks and Wildlife Department
- Coordination with U.S. Department of the Interior, Fish and Wildlife Service
- Coordination with Texas Historic Commission
- Coordination with U.S. Army Corp of Engineers
- Coordination with Texas Department of Transportation
- Coordination with Heart of Texas Council of Governments
- Coordination with Federal Aviation Administration



## **COORDINATION WITH FEDERAL AVIATION ADMINISTRATION**



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

Aeronautical Study No.  
2021-ASW-8000-OE  
Prior Study No.  
2018-ASW-13879-OE

Issued Date: 06/24/2021

Ryan Kuntz  
SCS Engineers  
1901 Central Drive  
Suite 550  
Bedford, TX 76021

**\*\* 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 Waco Landfill TCEQ Permit No.MSW-2400
Location:	Leroy, TX
Latitude:	31-42-26.30N NAD 83
Longitude:	96-55-12.60W
Heights:	554 feet site elevation (SE) 150 feet above ground level (AGL) 704 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:

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 in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 12/24/2022 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.
- (b) extended, revised, or terminated by the issuing office.
- (c) 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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

If we can be of further assistance, please contact our office at (817) 222-5933, or [andrew.hollie@faa.gov](mailto:andrew.hollie@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASW-8000-OE.

**Signature Control No: 484240013-485863404**

( DNE )

Andrew Hollie  
Specialist

Attachment(s)  
Case Description  
Map(s)

Please see attached.

# TOPO Map for ASN 2021-ASW-8000-OE





**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

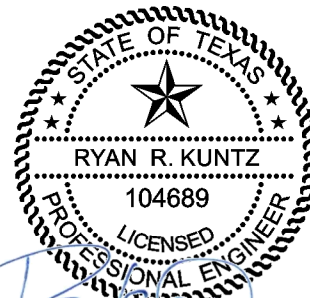
**PART III  
SITE DEVELOPMENT PLAN  
ATTACHMENT 1  
SITE LAYOUT PLANS**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



*TCKES* 10/18/2021

**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**

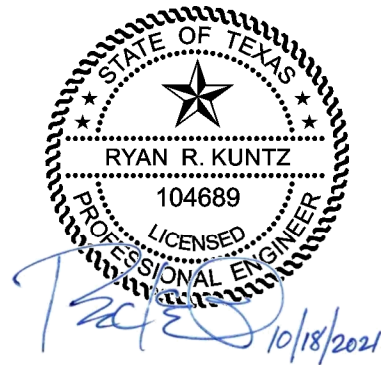
Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

Revision 0 – April 2020  
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Revision 2 – October 2021  
SCS Project No. 16216088.00

## TABLE OF CONTENTS

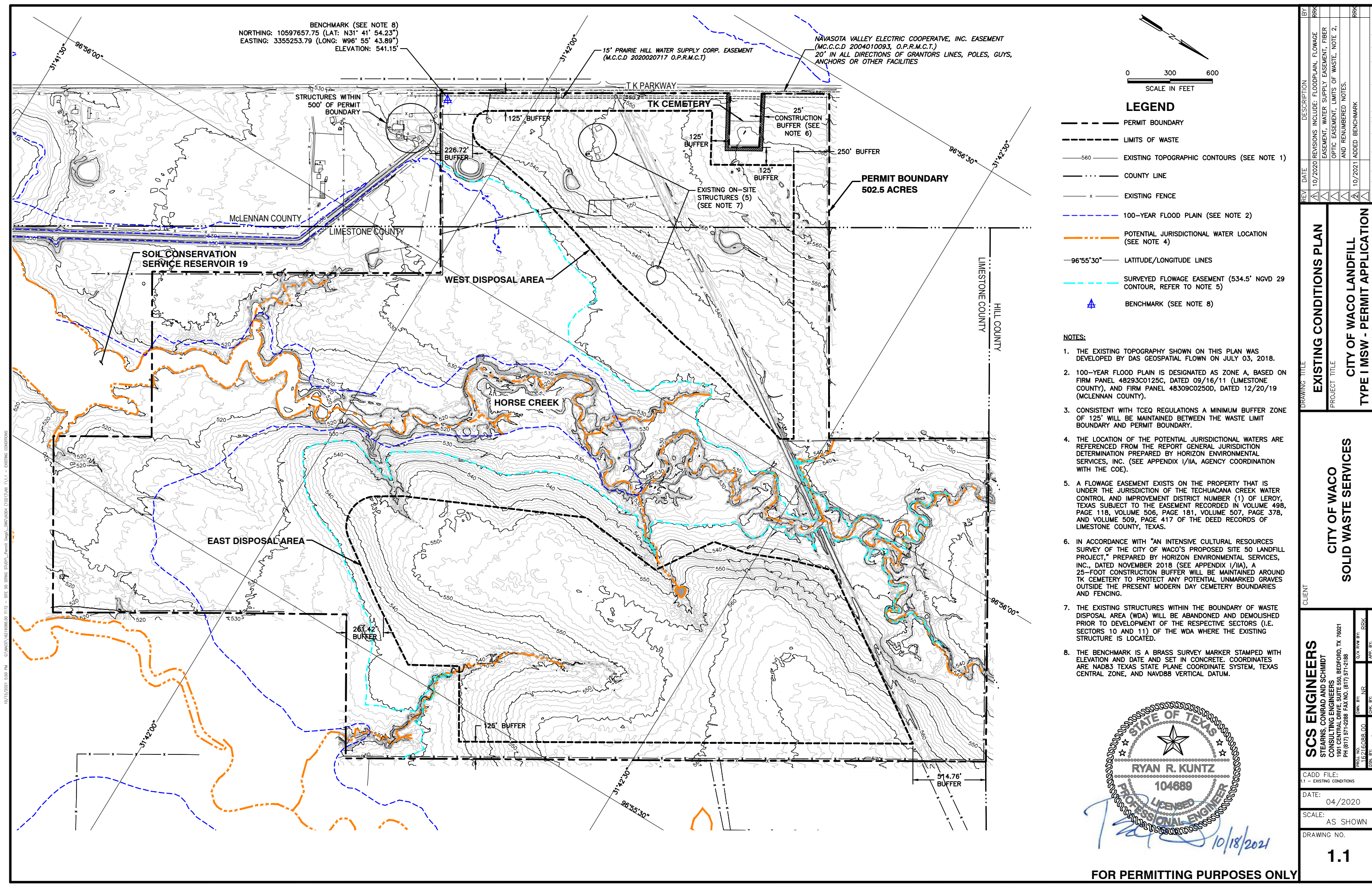
### Drawings

- 1.1 Existing Conditions Plan
- 1.2 Detailed Facility Layout and Sequence Plan
- 1.3 East Disposal Area Excavation Plan
- 1.4 West Disposal Area Excavation Plan
- 1.5 Entrance Facility Plan
- 1.6 Waste Flow Diagram



**SCS Engineers**  
**TBPE Reg. # F-3407**

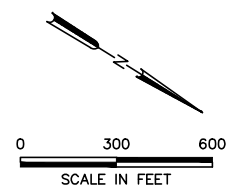




BENCHMARK (SEE NOTE 8)  
NORTHING: 10597657.75 (LAT: N31° 41' 54.23")  
EASTING: 3355253.79 (LONG: W96° 55' 43.89")  
ELEVATION: 541.15'

15' PRAIRIE HILL WATER SUPPLY CORP. EASEMENT  
(M.C.C.D. 2020020717 O.P.R.M.C.T.)

NAVASOTA VALLEY ELECTRIC COOPERATIVE, INC. EASEMENT  
(M.C.C.D. 2004010093, O.P.R.M.C.T.)  
20' IN ALL DIRECTIONS OF GRANTORS LINES, POLES, GUYS,  
ANCHORS OR OTHER FACILITIES



- LEGEND**
- PERMIT BOUNDARY
  - LIMITS OF WASTE
  - 560--- EXISTING TOPOGRAPHIC CONTOURS (SEE NOTE 1)
  - COUNTY LINE
  - x- EXISTING FENCE
  - - - 100-YEAR FLOOD PLAIN (SEE NOTE 2)
  - - - POTENTIAL JURISDICTIONAL WATER LOCATION (SEE NOTE 4)
  - 96°55'30"- LATITUDE/LONGITUDE LINES
  - - - SURVEYED FLOWAGE EASEMENT (534.5' NGVD 29 CONTOUR, REFER TO NOTE 5)
  - ▲ BENCHMARK (SEE NOTE 8)

- NOTES:**
1. THE EXISTING TOPOGRAPHY SHOWN ON THIS PLAN WAS DEVELOPED BY DAS GEOSPATIAL FLOWN ON JULY 03, 2018.
  2. 100-YEAR FLOOD PLAIN IS DESIGNATED AS ZONE A, BASED ON FIRM PANEL 48293C0125C, DATED 09/16/11 (LIMESTONE COUNTY), AND FIRM PANEL 48309C0250D, DATED 12/20/19 (MCLENNAN COUNTY).
  3. CONSISTENT WITH TCEQ REGULATIONS A MINIMUM BUFFER ZONE OF 125' WILL BE MAINTAINED BETWEEN THE WASTE LIMIT BOUNDARY AND PERMIT BOUNDARY.
  4. THE LOCATION OF THE POTENTIAL JURISDICTIONAL WATERS ARE REFERENCED FROM THE REPORT GENERAL JURISDICTION DETERMINATION PREPARED BY HORIZON ENVIRONMENTAL SERVICES, INC. (SEE APPENDIX I/IIA, AGENCY COORDINATION WITH THE COE).
  5. A FLOWAGE EASEMENT EXISTS ON THE PROPERTY THAT IS UNDER THE JURISDICTION OF THE TECHUACANA CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER (1) OF LEROY, TEXAS SUBJECT TO THE EASEMENT RECORDED IN VOLUME 498, PAGE 118, VOLUME 506, PAGE 181, VOLUME 507, PAGE 378, AND VOLUME 509, PAGE 417 OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS.
  6. IN ACCORDANCE WITH "AN INTENSIVE CULTURAL RESOURCES SURVEY OF THE CITY OF WACO'S PROPOSED SITE 50 LANDFILL PROJECT," PREPARED BY HORIZON ENVIRONMENTAL SERVICES, INC., DATED NOVEMBER 2018 (SEE APPENDIX I/IIA), A 25-FOOT CONSTRUCTION BUFFER WILL BE MAINTAINED AROUND TK CEMETERY TO PROTECT ANY POTENTIAL UNMARKED GRAVES OUTSIDE THE PRESENT MODERN DAY CEMETERY BOUNDARIES AND FENCING.
  7. THE EXISTING STRUCTURES WITHIN THE BOUNDARY OF WASTE DISPOSAL AREA (WDA) WILL BE ABANDONED AND DEMOLISHED PRIOR TO DEVELOPMENT OF THE RESPECTIVE SECTORS (I.E. SECTORS 10 AND 11) OF THE WDA WHERE THE EXISTING STRUCTURE IS LOCATED.
  8. THE BENCHMARK IS A BRASS SURVEY MARKER STAMPED WITH ELEVATION AND DATE AND SET IN CONCRETE. COORDINATES ARE NAD83 TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, AND NAVD88 VERTICAL DATUM.



10/18/2021

FOR PERMITTING PURPOSES ONLY

REV	DATE	DESCRIPTION	BY	CHK
1	10/20/2020	REVISIONS INCLUDE: FLOODPLAIN, FLOWAGE EASEMENT, WATER SUPPLY EASEMENT, FIBER OPTIC EASEMENT, LIMITS OF WASTE, NOTE 2, AND RENUMBERED NOTES.	RRK	
2	10/20/2021	ADDED BENCHMARK	RRK	
TEXAS BOARD OF PROFESSIONAL ENGINEERS REG. NO. F-3407				
DRAWING TITLE			CLIENT	
EXISTING CONDITIONS PLAN			CITY OF WACO	
PROJECT TITLE			SOLID WASTE SERVICES	
CITY OF WACO LANDFILL			SCS ENGINEERS	
TYPE I MSW - PERMIT APPLICATION			STEARN, CONRAD AND SCHMIDT	
			CONSULTING ENGINEERS	
			1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021	
			PH (817) 571-2288 FAX NO. (817) 571-2188	
			DWN. BY: NR	
			CHK. BY: BJD	
			APP. BY: RRK	
			PROJ. NO. 19210000.00	
			CADD FILE: 1:1 - EXISTING CONDITIONS	
			DATE: 04/2020	
			SCALE: AS SHOWN	
			DRAWING NO. 1.1	

**CITY OF WACO LANDFILL  
TCEQ PERMIT NO. MSW-2400  
McLENNAN AND LIMESTONE COUNTIES, TEXAS**

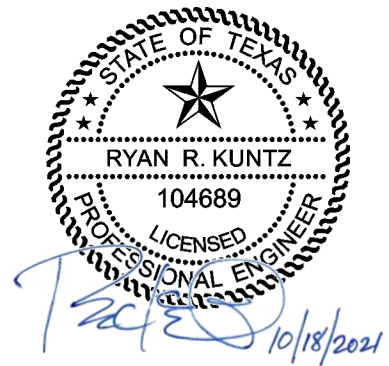
**PART IV  
SITE OPERATING PLAN**

**Prepared for:**

**CITY OF WACO**



Solid Waste Services  
501 Schroeder Drive  
Waco, TX 76710



**Prepared by:**

**SCS ENGINEERS**

**Texas Board of Professional Engineers, Reg. No. F-3407**

Dallas/Fort Worth Office  
1901 Central Drive, Suite 550  
Bedford, Texas 76021  
817/571-2288

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Revision 2 – June 2021  
Revision 3 – October 2021  
SCS Project No. 16216088.00



## TABLE OF CONTENTS

<b>SECTION</b>	<b>PAGE</b>
LIST OF ACRONYMS .....	iv
1 INTRODUCTION.....	IV-1-1
2 PERSONNEL AND TRAINING [30 TAC §330.127(1) and (4)] .....	IV-2-1
2.1 PERSONNEL.....	IV-2-1
2.2 TRAINING .....	IV-2-4
3 EQUIPMENT [30 TAC §330.127(2)].....	IV-3-1
4 OPERATIONAL PROCEDURES .....	IV-4-1
4.1 ACCESS CONTROL (30 TAC §330.131) .....	IV-4-1
4.2 UNLOADING WASTES (30 TAC §330.133).....	IV-4-3
4.3 FACILITY OPERATION HOURS (30 TAC §330.135).....	IV-4-5
4.4 SITE SIGNS (30 TAC §330.137).....	IV-4-6
4.5 CONTROL OF WINDBLOWN WASTES AND LITTER (30 TAC §330.139).....	IV-4-6
4.6 EASEMENTS AND BUFFER ZONES (30 TAC §330.141).....	IV-4-7
4.7 LANDFILL MARKERS AND BENCHMARK (30 TAC §330.143).....	IV-4-8
4.8 CONTROL OF WASTE SPILLED EN ROUTE TO THE SITE (30 TAC §330.145).....	IV-4-9
4.9 DISPOSAL OF LARGE ITEMS (30 TAC §330.147) .....	IV-4-9
4.10 AIR QUALITY CONTROL AND ODOR MANAGEMENT PLAN (30 TAC §330.149).....	IV-4-10
4.11 DISEASE VECTOR CONTROL (30 TAC §330.151).....	IV-4-12
4.12 MAINTENANCE OF SITE ACCESS ROADS (30 TAC §330.153) .....	IV-4-12
4.13 SALVAGING AND SCAVENGING (30 TAC §330.155) .....	IV-4-13
4.14 ENDANGERED SPECIES PROTECTION (30 TAC §330.157).....	IV-4-13
4.15 LANDFILL GAS MANAGEMENT (30 TAC §330.159) .....	IV-4-13
4.16 TREATMENT OF ABANDONED OIL, GAS, AND WATER WELLS (30 TAC §330.161).....	IV-4-13
4.17 COMPACTION OF SOLID WASTE (30 TAC §330.163).....	IV-4-14
4.18 SOIL MANAGEMENT: PLACEMENT, AND COMPACTION OF DAILY, INTERMEDIATE, AND FINAL COVER (30 TAC §330.165) .....	IV-4-14
4.19 PREVENTION OF PONDED WATER (30 TAC §330.167) .....	IV-4-17
4.20 DISPOSAL OF SPECIAL WASTES (30 TAC §330.171).....	IV-4-17
4.21 VISUAL SCREENING OF DEPOSITED WASTE (30 TAC §330.175).....	IV-4-20
4.22 LEACHATE AND GAS CONDENSATE RECIRCULATION (30 TAC §330.177).....	IV-4-21
5 DETECTION AND PREVENTION OF DISPOSAL OF UNAUTHORIZED WASTES [30 TAC §330.127(5)] .....	IV-5-1
5.1 GENERAL.....	IV-5-1
5.2 LOAD INSPECTION PROCEDURE .....	IV-5-2
5.3 RECORDKEEPING .....	IV-5-3

5.4	TRAINING .....	IV-5-4
5.5	MANAGING UNAUTHORIZED WASTES.....	IV-5-4
6	FIRE PROTECTION PLAN (30 TAC §330.129).....	IV-6-1
6.1	FIRE PREVENTION PROCEDURES.....	IV-6-1
6.2	GENERAL RULES FOR FIRES.....	IV-6-2
6.3	SPECIFIC FIRE-FIGHTING PROCEDURES .....	IV-6-3
7	RECORDKEEPING REQUIREMENTS (30 TAC §330.125).....	IV-7-1
7.1	SITE OPERATING RECORD (§330.125(b)).....	IV-7-1
7.2	ANNUAL WASTE ACCEPTANCE RATE [30 TAC §330.125(h)] .....	IV-7-4
7.3	SLER/GLER SUBMITTALS (30 TAC §330.123) .....	IV-7-5

## **Figures**

IV2.1 Organizational Chart

## **Tables**

IV2.1 Minimum Number of Personnel  
IV2.2 Personnel Training Requirements  
IV3.1 Equipment  
IV4.1 Site Inspection and Maintenance Schedule  
IV7.1 Recordkeeping Requirements



**SCS Engineers**  
**TBPE Reg. # F-3407**

- SLER/GLER Area – Soil liner evaluation report/geomembrane liner evaluation report (SLER/GLER) markers will be painted red. The markers will be placed so that all areas for which a SLER/GLER has been submitted are readily determinable. Such markers are to provide site workers immediate knowledge of the extent of approved disposal areas. These markers will be located and protected so that they are not destroyed during operations until operations extend into the next SLER/GLER area. The location of these markers will be tied into the landfill grid system and will be reported on each SLER/GLER submitted. SLER/GLER markers will not be placed inside the constructed areas.
- 100-Year Floodplain – 100-Year floodplain protection markers will be painted blue. The markers will be installed for any area within the 100-year floodplain as delineated by FEMA. The area subject to flooding, including the 100-year storm event water surface boundary as defined in Attachment 6B, will be clearly marked by means of permanent post not more than 300 feet apart or closer if necessary to retain visual continuity.

The site will maintain at least one permanent benchmark at the site in an area readily accessible and will not be used for disposal. The benchmark(s) will be a bronze or brass survey marker, stamped with the elevation and survey date and set in concrete. The benchmark elevation will be surveyed from a known US Coast and Geodetic survey benchmark or other reliable source. The current benchmark location at the site is depicted on Drawing 1.1 (see Attachment 1).

#### 4.8 CONTROL OF WASTE SPILLED EN ROUTE TO THE SITE (30 TAC §330.145)

The Landfill Manager or designee will take steps to assure that vehicles hauling waste to the site are enclosed or provided with a tarpaulin, net, or other means to effectively secure the load. The steps taken by the Owner will include, as necessary, the posting of signs requiring the loads to be covered, refusing acceptance of uncovered loads, reporting offenders to the police, adding disposal surcharges, or other necessary means.

On a daily basis when the landfill is in operation, landfill personnel will inspect SH 31 and FM 939 for spilled waste for a distance of two miles in either direction from the landfill entrance used for the delivery of waste to the landfill. If spilled waste is found on these public-access roads within 2 miles from the landfill, such waste will be cleaned up by landfill personnel and delivered to the landfill, assuming such waste is suitable for disposal at the landfill. The Landfill Manager or designee will consult with Texas Department of Transportation (TxDOT) officials and McLennan and Limestone Counties concerning cleanup of these public-access roads consistent with 30 TAC §330.145. Cleanup of these public-access roads will include cleanup of the respective rights-of-way as well.

#### 4.9 DISPOSAL OF LARGE ITEMS (30 TAC §330.147)

A large item/white goods storage area will be provided at the CCS or other alternative location designated as the “large item salvage area.” Alternatively, large item/white goods will be diverted from the waste stream at the active working face, and routinely relocated to the storage area. Items that can be classified as large, heavy or bulky can include, but are not limited to,

white goods (household appliances), air conditioner units, metal tanks, large metal pieces and automobiles. These items will be recycled as demand warrants but will not be stored in excess of 180 days. Large items that are not recycled will be disposed of at the working face. Care will be taken during disposal of large items such that: (1) large items are excluded from the initial 5 feet of waste over the liner protective cover, (2) large items are placed such that they do not interfere with continued waste filling, and (3) other, smaller municipal solid waste is placed and compacted around them.

The Owner will properly manage chlorinated fluorocarbon (CFC) refrigerant from refrigerators, freezers, air conditioning units, or other items in accordance with 40 CFR §82.156(f). CFCs will be evacuated from refrigerators, freezers, or air conditioners by a third-party vendor, or landfill personnel certified to perform this activity, prior to landfilling or recycling the units at an offsite facility. Electrical equipment, which contain PCBs, will not be accepted, as provided in Section 5.

#### **4.10 AIR QUALITY CONTROL AND ODOR MANAGEMENT PLAN (30 TAC §330.149)**

##### **4.10.1 Air Quality**

Municipal solid waste landfills are subject to TCEQ regulations concerning burning and air pollution control. The following procedures will be implemented at the landfill for control of air pollution:

- Open burning of waste will not be permitted at the facility.
- Control of dust emissions (i.e. particulate matter control) from onsite access roads, as described in Section 4.12.
- Obtaining coverage under and complying with either the Standard Air Permit in 30 TAC Subchapter U or an individual air permit.
- For the mulching operation obtaining coverage under and complying with the air quality standard permit in 30 TAC §332.8. In accordance with §332.8(b), mulching operations will be performed as follows in order to comply with the air quality standard permit:
  - The setback distance from the property boundary for brush, untreated wood waste, yard waste, or mulch will 50 feet.
  - Except for initial start-up and shut-down, the receiving chamber on all grinders will be adequately filled prior to commencement of grinding. The receiving chambers will also remain full during grinding operations to minimize emissions from the grinder or wood chipper. In addition, the Owner will have portable watering equipment available during the grinding operations.
  - All conveyors which off-load materials from grinders will have available a water or mechanical dust suppression system.