



Texas Commission on Environmental Quality

Waste Permits Division Correspondence

Cover Sheet

Date: 09/12/2023

Facility Name: City of Waco Transfer Station Facility

Permit or Registration No.: 62050

Nature of Correspondence:

☐ Initial/New

☒ Response/Revision to TCEQ Tracking No.:
28859881 (from subject line of TCEQ letter
regarding initial submission)

Affix this cover sheet to the front of your submission to the Waste Permits Division. Check appropriate box for type of correspondence. Contact WPD at (512) 239-2335 if you have questions regarding this form.

Table 1 - Municipal Solid Waste Correspondence

Applications	Reports and Notifications
<input type="checkbox"/> New Notice of Intent	<input type="checkbox"/> Alternative Daily Cover Report
<input type="checkbox"/> Notice of Intent Revision	<input type="checkbox"/> Closure Report
<input type="checkbox"/> New Permit (including Subchapter T)	<input type="checkbox"/> Compost Report
<input type="checkbox"/> New Registration (including Subchapter T)	<input type="checkbox"/> Groundwater Alternate Source Demonstration
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Groundwater Corrective Action
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Limited Scope Major Amendment	<input type="checkbox"/> Groundwater Background Evaluation
<input type="checkbox"/> Notice Modification	<input type="checkbox"/> Landfill Gas Corrective Action
<input type="checkbox"/> Non-Notice Modification	<input type="checkbox"/> Landfill Gas Monitoring
<input type="checkbox"/> Transfer/Name Change Modification	<input type="checkbox"/> Liner Evaluation Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Soil Boring Plan
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Special Waste Request
<input type="checkbox"/> Subchapter T Disturbance Non-Enclosed Structure	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Other: Subchapter T Development Permit Application	

Table 2 - Industrial & Hazardous Waste Correspondence

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

September 7, 2023
SCS Project No. 16222063.00

Mr. Asmerom T. Russom
Municipal Solid Waste Permits Section MC-124
Texas Commission on Environmental Quality
12015 Park 35 Circle, Building F, Suite 1201
Austin, Texas 78753

Sent via FedEx

Subject: Subchapter T Development Permit Application for Enclosed Structure
New Building for MSW Transfer Station at City of Waco Landfill, MSW Permit No. 1039
Proposed Development Permit Application No. - 62050
Response to Notice-of-Deficiency (NOD) Email, Dated August 30, 2023
McLennan County, Texas.
Tracking No. 28859881; RN TBA/CN600131940

Dear Mr. Russom:

In response to your August 30, 2023 comments provided by email, we have provided responses to your numbered comments in bold italics below along with revised text and drawings. We have included one (1) original and two (2) unmarked copies (**see Attachment 1**), and one (1) marked copy (**see Attachment 2**) of the revisions. A separate copy of the revisions has been sent to the region office.

1. Your response to NOD2 comment No. 4, to address groundwater monitoring requirements in accordance with 30 TAC 330.961(f), indicates that there was no groundwater contamination and compliance issues at the site. Provide data or documents to support your response.

Response:

The closed landfill (MSW permit no. 1039) was permitted in 1977 and closed in the 1980s. The facility has been in post-closure maintenance during that entire period since landfill closure. The site was not required to install groundwater monitoring wells during active operation or during post-closure. Original permit application indicates that the groundwater table was approximately 13 to 18 feet below ground surface elevations based on limited observations in soil borings. Additionally, prior to landfill development the landfill cells were required to be lined with 3 ft. thick constructed clay liners. Recent borings appear to confirm this is the case. The required landfill clay cap layer was also confirmed to be in-place and will be enhanced with additional fill in the vicinity of the proposed improvements. Also, our review of the permit files for this site do not contain any correspondence, inspection reports, or any other documents that indicate potential groundwater contamination. Section 12 of the application has been revised to include above discussion and a copy of the original permit is included as Appendix H.

2. Your response to NOD2 comment No. 2 indicates that "liquid water" discovered between 6 feet and 32 feet was different from groundwater at the site. Provide sufficient information about the ground water table at the site. Provide a groundwater map or data as requested in our previous NOD2 comment No. 3.

Response:

See response to comment 1.

3. The response to NOD2 comment No. 5 regarding the specification of the perforated-permeable layer between the subgrade and the slab is still ambiguous. Revise drawing 13.1 and the notes in the drawing to be "composed of an open graded, clean material with minimum thickness of 12 inches" as stipulated in 30 TAC 330.957(m)(1)(A).

Response:

Note 1 on Drawing 13.1 has been revised to include material thickness of the aggregate layer.

4. Section 12.2, Surface Water Statement, indicates that a detention area was proposed in the landfill to collect and control stormwater associated with the addition of impervious surfaces. According to 30 TAC 330.961(d), ponding of water over waste shall be prevented. The executive director may allow a detention pond over waste with certain design and operating requirements (such as a constructed liner) when a demonstration that no alternative locations on the property is provided. If no alternate locations exist, please provide the demonstration. Alternatively, please indicate if the proposed detention area will not be located over waste.

Response:

To prevent ponding of water over waste, the proposed detention pond will be lined with 40-mil LLDPE/HDPE geomembrane, if it is constructed within limits of waste. This pond will drain to proposed drainage swale, located outside limits of waste as shown on Drawing C2, via a 6" pipe every 3-4 hours. A pond liner detail has been added to Drawing C6 in Appendix B to demonstrate construction of the detention pond within limits of waste. Please note that geomembrane liner will not be installed if proposed detention pond is constructed outside of limits of waste. Additionally, Section 12.2 has been revised to include this discussion.

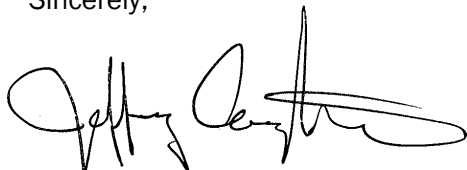
5. In Appendix B, Construction Plans, boundary lines are missing on the south side of the property drawing. Provide at least one drawing that depicts the property line and the limits of waste on the south side of the property.

Response:

Drawing 9.1 depicts the property boundary along with limits of waste. A duplicate of this drawing has been added to Appendix B as drawing C0.

A copy of the NOD response with the revised documents has been sent to the Waco office of the TCEQ Region 9. Should you have any comments or questions after reviewing this request, please call Jeff Arrington at (817) 358-6111.

Sincerely,



Jeff Arrington, P.E.
Project Manager
SCS Engineers
TBPE Registration No. F-3407



Sandeep Saraf, P.E.
Senior Project Manager
SCS Engineers

Attachments: As noted above



Texas Commission on Environmental Quality

Application for Development Permit for Proposed Enclosed Structure Over Closed Municipal Solid Waste Landfill

Application Tracking Information

Applicant Name: City of Waco

Facility Name: City of Waco Transfer Station Facility

Development Permit Number: 62050

Initial Submission Date: 05/03/2023

Revision Date: 09/12/2023

Use this form to apply for a development permit for proposed enclosed structure over a closed municipal solid waste (MSW) landfill. Rules about use of land over a closed MSW landfill are in [Title 30, Texas Administrative Code](#)¹, Chapter 330, Subchapter T. Instructions for completing this form are provided in form [TCEQ 20785-instr](#)². Include a Core Data Form, available at www.tceq.texas.gov/goto/coredata with the application. If you have questions, contact the Municipal Solid Waste Permits Section by email to mswper@tceq.texas.gov, or by phone at 512-239-2335.

If you have an existing enclosed structure, use form [TCEQ-20786](#)³, Registration for Existing Enclosed Structure Over Closed Municipal Solid Waste Landfill. If you are proposing a non-enclosed structure, use form [TCEQ-20787](#)⁴, Authorization to Disturb Final Cover Over Closed Municipal Solid Waste Landfill for Non-Enclosed Structure.

Application Data

1. Application Type

☒ New Development Permit ☐ Revisions of Existing Permit

☐ Transfer of an Existing Permit

If existing Permit, indicate the Permit Number: _____

2. Submission Type

☐ Initial Submission ☒ Notice of Deficiency (NOD) Response

¹ www.tceq.texas.gov/goto/view-30tac

² www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20785-instr.pdf

³ www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20786.pdf

⁴ www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20787.pdf

3. Application Fee

The application fee for a development permit is \$2,500.

☒ Paid by Check

☐ Paid Online

If paid online, ePay Confirmation Number: _____

4. Enrollment in Other TCEQ Programs

Indicate if the site is enrolled in the Voluntary Cleanup Program or other Remediation Program.

☐ Yes ☒ No

If Yes, indicate the program: _____

5. Development Type

Is the development a single-family or double-family home that is not part of a housing subdivision?

☐ Yes ☒ No

If "Yes", the construction is exempt from the development permit requirement.

6. Enclosed Structure Description

Provide a brief description of the proposed enclosed structure for which the development permit is requested.

The proposed facilities will include a new MSW transfer station, scale house building and scales, a citizens' collection station, and a new paved access drive with parking for trucks and vehicles.

7. Soil Tests

Size of the property (acres): 43.482

Was the existence of the landfill determined through:

☐ Test I

☐ Test II

☐ Test III

☒ Other. Please describe: Permitted Landfill (MSW Permit No. 1039)

If soil tests were performed prior to development in accordance with 30 TAC §330.953, the test results shall be included in this application.

8. Notification of MSW Landfill Determination

If soil tests were used to determine the presence of a closed MSW landfill, provide evidence that the engineer who performed the soil tests has notified the following persons of that determination in accordance with 30 TAC §330.953(d).

- ☐ Each owner and lessee
- ☐ Executive Director
- ☐ Local Government Officials
- ☐ Regional Council of Governments

9. Landfill Permit Status

What is the permit status of the landfill?

- ☐ Active MSW Permit
- ☒ Landfill in Post-Closure Care
- ☐ Revoked MSW Permit
- ☐ Non-Permitted Landfill

If the landfill is still in the post-closure care period subject to an active MSW Permit, this development permit application for proposed enclosed structures shall be accompanied by a Permit Modification application prepared in accordance with 30 TAC §305.70, and by a certification signed by an independent engineer in accordance with 30 TAC §330.957(b)(2).

If the landfill has completed the post-closure care period, but the MSW permit has not been revoked (site affected by an active MSW Permit), a Voluntary Revocation request of the MSW Permit shall be submitted in accordance with 30 TAC §330.465 prior to the submittal of this development permit application for proposed enclosed structures over a closed MSW landfill.

10. Application URL

Enter the URL address of a publicly accessible internet web site where the application and all revisions to that application will be posted in the box below:

<https://www.waco-texas.com/Transfer-Station-Permitting>

11. Public Place for Copy of Application

Name of the Public Place: Waco - McLennan County Library

Physical Address: 1717 Austin Ave

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

Phone Number: (254) 750-5941

Normal Operating Hours: 10:00AM to 9:00PM (Monday to Wednesday), 10: 00AM to 6PM (Thursday to Saturday) & 1:00PM to 5:00PM (Sunday)

12. Party Responsible for Publishing Notice

Indicate who will be responsible for publishing notice:

☐ Applicant ☒ Consultant

Contact Name: Jeff Arrington, P.E.

Title: Project Manager

Email Address: JArrington@scsengineers.com

13. Alternative Language Notice

Use the Alternative Language Checklist on Public Notice Verification Form TCEQ-20244-Waste-NAORPM available at www.tceq.texas.gov/permitting/waste_permits/msw_permits/msw_notice.html to determine if an alternative language notice is required.

Is an alternative language notice required for this application?

☐ Yes ☒ No

Indicate the alternative language: _____

14. 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."

15. Permits and Construction Approvals

Mark the following tables to indicate status of other permits or approvals.

Permits and Construction Approvals

Permit or Approval	Received	Pending	Not Applicable
Zoning Approval			X
Preliminary Subdivision Plan			X
Final Plat			X
Fire Inspector's Approval			X
Building Inspector's Approval on Plans			X
Water Service Tap			X
Wastewater Service Tap			X
On-site Wastewater Disposal System Approval			X

Other Environmental Permits

Other Environmental Permits (list)	Received	Pending

16. General Project Information

Facility Name: City of Waco Transfer Station Facility

SubT Development Permit Number (if available): _____

Regulated Entity Reference Number (if issued): **RN** _____

Street or Physical Address: S University Parks Drive

City: Waco County: McLennan State: TX Zip Code: 76712

Phone Number: 254-299-2623

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

17. Contact Information

Applicant (Lessee/Project Owner)

Name: Kody Petillo

Customer Reference Number (if issued): **CN** 600131940

Mailing Address: P.O. Box 2570

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

Phone Number: 254-750-6627

Email Address: KodyP@wacotx.gov

If Customer Reference Number has not been issued, complete a Core Data Form (TCEQ-10400) and submit it with this application. List the Applicant as the Customer.

Property Owner

Name: Same as Site Operator

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

If the Property Owner is the same as Applicant, indicate "Same as "Applicant".

Consultant (if applicable)

Firm Name: SCS Engineers

Texas Board of Professional Engineers and Land Surveyors Firm Number: F-3407

Mailing Address: 1901 Central Dr. Suite 550

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

Consultant Name: SCS Engineers

Phone Number: 817-358-6111

Email Address: JArrington@scsengineers.com

Engineer Who Performed Soil Tests

Firm Name: Langerman Engineering

Texas Board of Professional Engineers and Land Surveyors Firm Number: F-13144

Mailing Address: 2000 South 15th Street

City: Waco County: McLennan State: TX Zip Code: 76706

Engineer Name: Scott M. Langerman, P.E.

Phone Number: 254-235-1048

Email Address: slangerman@lfectx.com

18. Other Governmental Entities Information:

Fire Chief, Fire Marshal or Fire Inspector Information

Fire Department Name: Waco Fire Department
Person's Name: Mr. Gregory Summer
Mailing Address: 1016 Columbus Ave
City: Waco County: McLennan State: TX Zip Code: 76702
Phone Number: 254-750-1740
Email Address: gsummer@wacotx.gov

Local Floodplain Authority (if applicable)

Authority Name: Floodplain Administrator
Contact Person's Name: Mr. Zane Dunnam
Street or P.O. Box: 215 N. 5th At. Suite 130
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-757-5028
Email Address: Engineer@co.mclennan.tx.us

City Mayor Information

City Mayor's Name: Mr. Dillion Meek
Office Address: 300 Austin Ave.
City: Waco County: McLennan State: TX Zip Code: 76702
Phone Number: 254-750-5600
Email Address: Dillion.Meek@wacotx.gov

City Health Authority Information

Contact Person's Name: Ms. LasShonda M. Marley-Horen
Office Address: 225 W. Waco Drive
City: McLennan County: McLennan State: TX Zip Code: 76701
Phone Number: 254-750-5492
Email Address: lasdondam@wacotx.gov

Director of Public Works

Department Name: City of Waco-Director of Public Works
Contact Person's Name: Ms. Amy Burlarley-Hyland, P.E.
Office Address: 401 Franklin Ave
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-750-5440
Email Address: amyb@wacotox.gov

Director of Utilities

Utility Name: City of Waco-Director of Utilities
Contact Person's Name: Ms. Lisa Tyer
Office Address: 200 Concord Avenue
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-299-2489
Email Address: lisat@wacotx.gov

Director of Planning

Agency Name: City of Waco-Director of Planning
Contact Person's Name: Mr. Clint Peters
Office Address: 401 Franklin Ave
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-750-5624
Email Address: clintp@wacotx.gov

Building Inspector

Agency Name: City of Waco Inspection Services Department
Contact Person's Name: Mr. Chris Valtierra
Office Address: 401 Franklin Ave
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-750-5612
Email Address: chrisv@wacotx.gov

County Judge Information

County Judge's Name: Mr. Scott Felton
Office Address: 501 Washington Avenue, Room 214
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-757-5049
Email Address: smfelton@co.mclennan.tx.us

County Engineer Information

County Engineer's Name: Mr. Zane Dunnam
County Engineer's P.E. Registration No.: _____
Office Address: 215 N. 5th St. Suite 130
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-757-5028
Email Address: zane.dunnam@co.mclennan.tx.us

County Health Authority

Agency Name: Waco-McLennan County Public Health District
Contact Person's Name: Ms. LaShonda M. Marley-Horne
Office Address: 225 W. Waco Drive
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-750-5492
Email Address: lashondam@wactox.gov

State Representative Information

District Number: 56
State Representative's Name: Charles Anderson
District Office Address: 900 Austin Avenue, Suite 804
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 512-463-0135
Email Address: Charles.anderson@house.texas.gov

State Senator Information

District Number: 22
State Senator's Name: The Honorable Brian Birdwell
District Office Address: 900 Austin Avenue, Suite 500
City: Waco County: McLennan State: TX Zip Code: 76701
Phone Number: 254-772-6225
Email Address: brian.birdwell@senate.texas.gov

Council of Government (COG)COG Name: Heart of Texas Council of GovernmentsCOG Representative's Name: Mr. Russell DevorskyCOG Representative's Title: Executive DirectorStreet Address or P.O. Box: 1514 S. New RoadCity: Waco County: McLennan State: TX Zip Code: 76711Phone Number: 254-292-1800Email Address: russell.devorsky@hot.cog.tx.us**Local Government Jurisdiction**

Is the property located within the limits or in the ETJ of any City?

☒ Yes ☐ No

If "Yes" city regulations may apply. Issuance of Development Permit for an Enclosed Structure does not exempt the applicant from complying with city codes and zoning.

Within City Limits of: _____

Within Extraterritorial Jurisdiction of City of: Waco**19. Deed Recordation**

☒ Verify that the property owner filed a written notice for record in the real property records in the county where the land is located in accordance with 30 TAC §330.962 stating: (a) the former use of the land; (b) the legal description of the tract of land that contains the closed MSW landfill; (c) notice that restrictions on the development or lease of the land exist in the Texas Health and Safety Code and in MSW rules; and (d) the name of the owner.

☒ A certified copy of the Notice to Real Property Records is included in this application in accordance with 30 TAC §330.957(p).

20. Notice to Buyers, Lessees, and Occupants of the Structure

Did the property owner give written notice to all prospective buyers, lessees and/or occupants of the structure in accordance with 30 TAC §330.963 stating the land's former use as a landfill, and the structural controls in place to minimize potential future danger posed by the closed MSW landfill?

☐ Yes ☒ New Structure Not Yet Constructed

If "Yes" certified copies of the notices shall be submitted to TCEQ in accordance with 30 TAC §330.957(p).

If "New Structure Not Yet Constructed" a draft notice to all prospective buyers, lessees and/or occupants of the proposed structure, and procedures for its implementation upon structure's construction shall be included in this application.

21. Notice of Lease Restrictions on the Property

Is the property leased?

☐ Yes ☒ No

If "Yes", verify that the property owner provided written notice to all prospective lessees of the property in accordance with 30 TAC §330.964 concerning:

☐ (a) what is required to bring the property into compliance with 30 TAC Chapter 330, Subchapter T?

☐ (b) the prohibitions or requirements for future disturbance of the final cover?

☐ A certified copy of the notice is included in the application in accordance with 30 TAC §330.957(p).

Professional Engineer's Certification of No Potential Threat to Public Health or the Environment

The applicant's engineer for this project shall complete one of the following certifications:

"I, _____, Texas PE Number _____, certify that the proposed development is necessary to reduce a potential threat to public health or the environment. Further, I certify that the proposed development will not damage the integrity or function of any component of the Closed Municipal Solid Waste Landfill Unit, including, but not limited to, the final cover, containment systems, monitoring system, or liners. This certification includes all documentation of all studies and data on which I relied in making these determinations."

Engineer's seal, with signature and date:

Engineering Firm Name: _____

Texas Board of Professional Engineers and Land Surveyors Firm Number: _____

Or:

"I, Jeff Arrington, Texas PE Number 61895, certify that the proposed development will not increase or create a potential threat to public health or the environment. Further, I certify that the proposed development will not damage the integrity or function of any component of the Closed Municipal Solid Waste Landfill Unit, including, but not limited to, the final cover, containment systems, monitoring system, or liners. This certification includes all documentation of all studies and data on which I relied in making these determinations."

Engineer's seal, with signature and date:



A handwritten signature in black ink, appearing to read "Jeff Arrington".

9-6-2023

Engineering Firm Name: SCS Engineers

Texas Board of Professional Engineers and Land Surveyors Firm Number: F-3407

Signature Page

Applicant Certification

I 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.

Name: Bradley Ford Title: City Manager

Signature: [Signature] Date: 9/15/23

Email Address: bradleyf@wacotx.gov

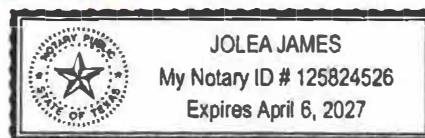
SUBSCRIBED AND SWORN to before me by the said Bradley Ford, City Manager

On this 15th day of September, 2023

My commission expires on the 16th day of April, 2027

Notary's Name: Jolea James

Notary Public in and for McLennan County, Texas



Property Owner Authorization

To be completed by the property owner if the property owner is not the applicant.

I _____, the owner of the property identified by the address _____, hereby authorize the applicant to proceed with the project described in this application, and to apply for any necessary authorizations in order to conduct this project. I understand that, as property owner, I am responsible for maintaining the integrity of the final cover over the closed MSW landfill.

Property Owner Name: _____

Signature: _____ Date: _____

Email Address: _____

SUBSCRIBED AND SWORN to before me by the said _____

On this _____ day of _____, _____

My commission expires on the _____ day of _____, _____

Notary's Name: _____

Notary Public in and for _____ County, Texas

Attachments for New Development Permit

Required Attachments

A. Narrative

Attachment	Attachment Number
Proposed Project Description	Section 1
Existing Conditions Summary	Section 3
Legal Authority	Section 4
Evidence of Competency	Section 5
Notice of Engineer Appointment	Section 6
Notices of Coordination with Governmental Agencies and Officials	Section 7
Geology and Soil Statement	Appendix A
Groundwater and Surface Water Statement	Section 12
Foundation Plans	Appendix B
Soil Tests	Appendix A
Closure Plan	Section 17
Structures Gas Monitoring Plan	Section 20
Site Operating Plan	Section 19
Safety and Evacuation Plan	Section 21

B. Maps and Plans

Attachment	Attachment Number
Adjacent Landowners Map	After cover letter
Adjacent Landowners List	After cover letter
Electronic List or Mailing Labels	After cover letter
General Location Map	Section 10
General Topographic Map	Section 10
Site Layout Plan with Limits of Waste Disposal Area	Section 9
Foundation Plans	Section 13
Structure Layout Plan	Section 20
Methane Monitoring Equipment Location Plans	Section 20
Construction Details and Engineering Drawings	Section 20

C. Copies of Legal Documents

Attachment	Attachment Number
Property Legal Description	Section 8
Notice of Landfill Determination	N/A
Notice to Real Property Records	Section 16
Notices to Buyers, Lessees, and Occupants	Section 16
Notices of Lease Restrictions (if applies)	N/A

Additional Attachments as Applicable

Attachment	Attachment Number
<input type="checkbox"/> TCEQ Core Data Form(s)	N/A
<input type="checkbox"/> Confidential Documents	N/A
<input type="checkbox"/> Soil Tests Boring Logs	Appendix A
<input type="checkbox"/> Other maps, plans and engineering drawings	Appendix B
<input type="checkbox"/> Methane Monitoring Equipment Specifications	Appendix C
<input type="checkbox"/> Methane Monitoring Report	Section 20
<input type="checkbox"/> Waste Disposal Manifests	N/A
<input type="checkbox"/> Fee Payment Receipt	After cover letter
<input type="checkbox"/> Final Plat Record of Property	N/A

Attachments for Revisions to Existing Development Permit

Required Attachments

A. Revised Pages

Attachment	Attachment Number
Marked (Redline/Strikeout) Pages	
Unmarked Revised Pages	

B. Narrative

Attachment	Attachment Number
Description of Proposed Revisions	
Foundation Plans (if revised)	
Closure Plan (if revised)	
Site Operating Plan (if revised)	
Structures Gas Monitoring Plan (if revised)	
Safety and Evacuation Plan (if revised)	

C. Maps and Plans

Attachment	Attachment Number
General Location Map	
Site Layout Plan	
Structure Layout Plan	
Methane Monitoring Equipment Location Plans	

Additional Attachments as Applicable

Attachment	Attachment Number

ATTACHMENT 1

UNMARKED VERSION

Subchapter T Development Permit Application (30 TAC §330.957)

City of Waco Transfer Station Facility

501 Schroeder Dr
Waco, Texas 76710



Date: 09/06/2023

SCS ENGINEERS

16222063.00 | May 2023
Revision 1 – June 2023
Revision 2 – August 2023
Revision 3 – September 2023

1901 Central Dr., Suite 550
Bedford, TX 76021
817-571-2288

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3.2 Site Investigation	3
3.3 Condition of Final Cover (30 TAC §330.957(c)(1))	3
3.4 Waste Characterization (30 TAC §330.957(c)(2))	3
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E	Notice of Coordination Letters
F	Certified Copy of the City Charter
G	Geosynthetic Specifications
H	Copy of MSW Permit 1039



2 ENGINEER'S CERTIFICATION (30 TAC §330.957(b))

Certification of no Potential Threat to Public Health or the Environment:

I, Jeff Arrington, P.E. #61895 certify that the proposed development will not increase or create a potential threat to public health or the environment. Further, I certify that the proposed development will not damage the integrity or function of any component of the Closed Municipal Solid Waste Landfill Unit, including, but not limited to, the final cover, containment systems, monitoring system, or liners. This certification includes all documentation of all studies and data on which I relied in making these determinations.



Signature/Seal

Date 09-06-2023

12 GROUNDWATER AND SURFACE WATER STATEMENT (30 TAC §330.957(I))

12.1 Groundwater Statement

Based on soil borings performed during the Geotechnical Investigation in 2023 (See Appendix A), liquid was encountered at depths ranging between 6 feet and 23 feet below ground surface.

Groundwater levels outside the landfill are expected to rise and fall on a seasonal basis, and are influenced by rainfall and the level of the Brazos River. The original landfill permit indicated that prior to landfill development, the groundwater table was approximately 13 to 18 feet below ground surface elevations based on limited observations in soil borings. Liquid levels within landfills are typically different from groundwater levels outside the respective landfill and do not have any direct correlation with each other. No groundwater wells were installed at this landfill due to its age and closure prior to groundwater monitoring requirements. As such, there is no groundwater monitoring data available for this site. The water observations conducted for this investigation are short-term and should not be interpreted as a groundwater study. However, the presence of liquids within the landfill will affect construction and long-term performance of the proposed foundations and pavements. The proposed deep foundation will adequately address the presence of liquids and solid waste within the landfill.

A groundwater monitoring system is not proposed for this site based on the age of the landfill and no history of compliance issues related to groundwater at this site. Based on a review of the landfill permit files available from TCEQ, there is no indication that groundwater contamination is present in the vicinity of the closed landfill. The permit documents indicate that the landfill cells were lined with 3 feet thick constructed clay liners. In addition the proposed development will reduce infiltration into the final cover due to additional soil fill material and impervious surfaces.

12.2 Surface Water Statement

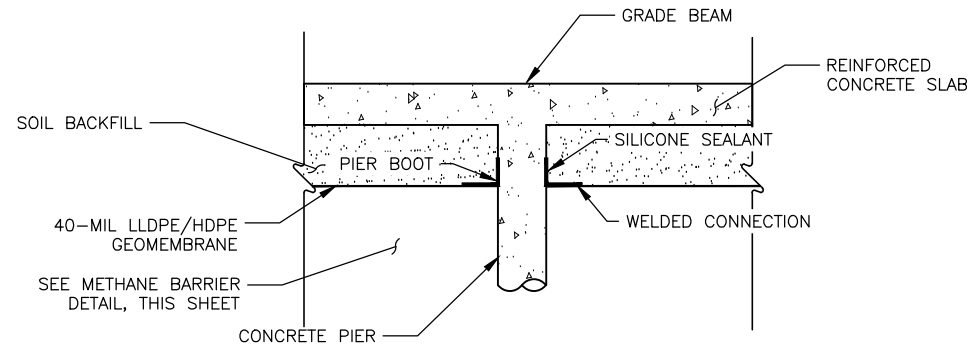
Surface water will generally sheet flow away from the buildings and pavement into the existing swales along the highway and along the property lines. The existing drainage patterns will be maintained with the proposed improvements, including drainage swales and detention area. A detention area is proposed adjacent to the citizens collection station to collect and control stormwater associated with the addition of impervious surfaces. This detention pond will be lined with 40-mil LLDPE/HDPE geomembrane if it is constructed within limits of waste and with ECB/TRM if it is located outside limits of waste. The drainage swales and detention area will be lined with erosion control blanket or turf reinforcement mat to prevent erosion and maintain vegetation growth. These features are depicted on the civil drawings contained in Appendix B.

The site is located outside the 100-year flood plain for the Brazos River according to FEMA Flood Insurance Map of McLennan County, Texas Map Number 48309C0575D dated 12/20/2019.

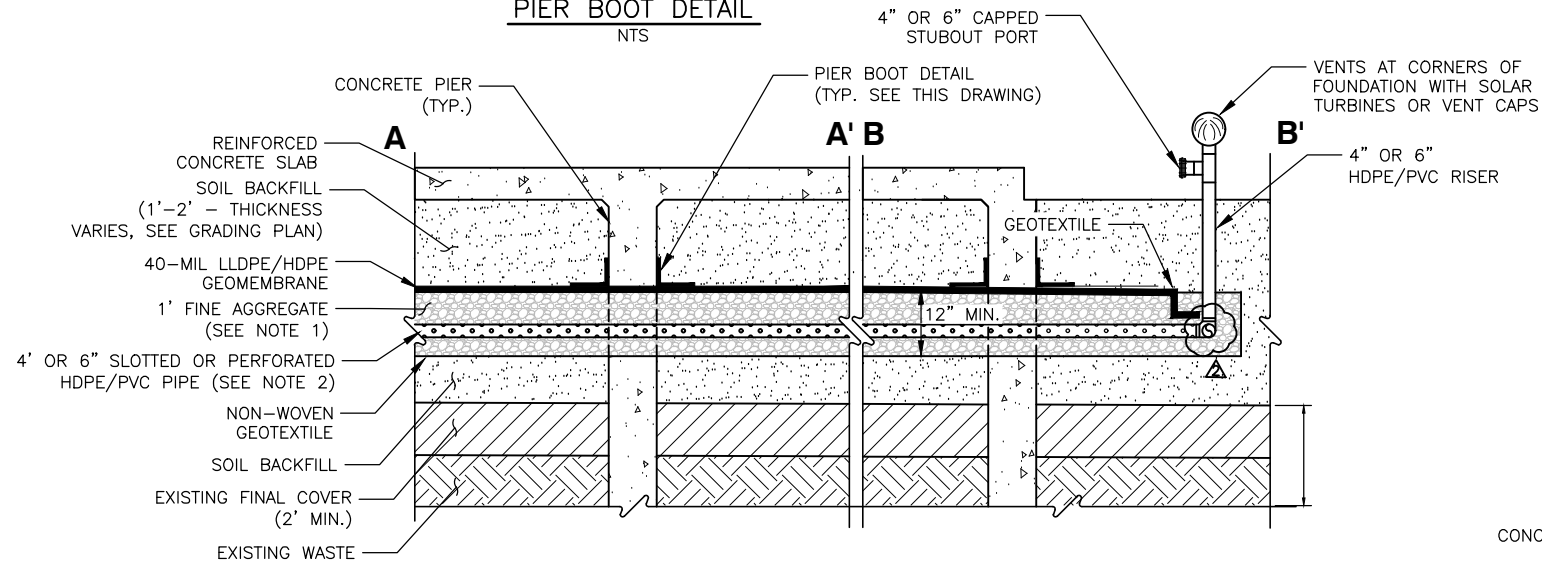
Appendix B

Construction Plans

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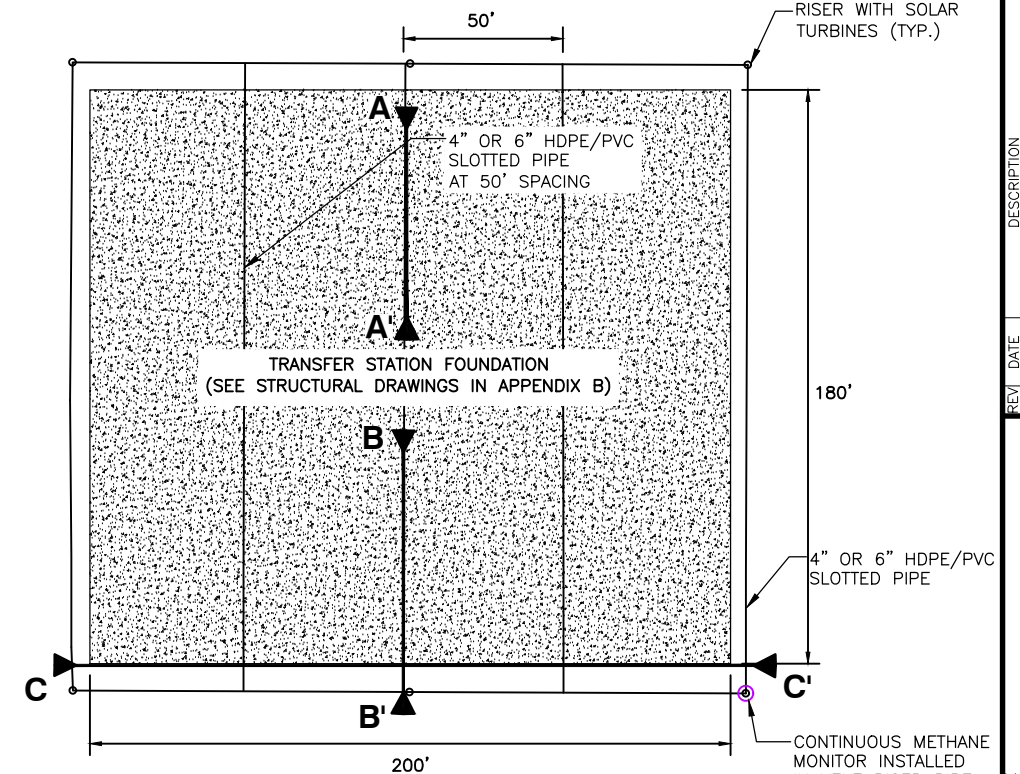
PIER BOOT DETAIL
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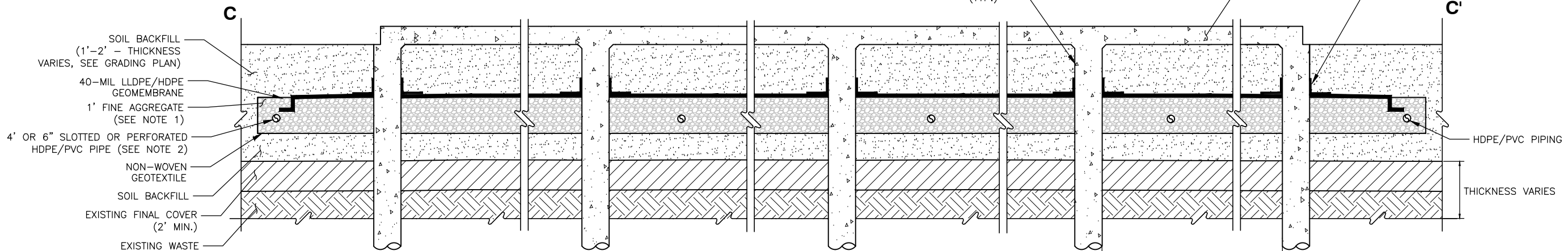
NOTES:

- FINE AGGREGATE SHALL BE COARSE SAND OR FINE GRAVEL COMPOSED OF AN OPEN GRADED, CLEAN MATERIAL, WITH MINIMUM 12" THICKNESS.
- SLOTTED OR PERFORATED PIPING SHALL EXTEND AROUND THE BUILDING PERIMETER AND BENEATH SLAB AS SHOWN ON PIPING PLAN DETAIL.
- PROVIDE FITTED HDPE BOOTS FOR A1C FOUNDATION PIERS (SEE PIER BOOT DETAIL, THIS SHEET)
- CONTINUOUS METHANE MONITORS SHALL BE INSTALLED IN THE VENT PIPE RISER. REFERENCE PIPING PLAN (THIS PAGE) FOR VENT RISERS AND METHANE MONITOR LOCATIONS.
- PROVIDE 4" OR 6" CAPPED PORT FOR FUTURE BLOWER IF NEEDED.
- PIERS SHALL EXTEND INTO UNDERLYING BEDROCK AS INDICATED ON STRUCTURAL PLANS S1-S5 IN APPENDIX B.
- EXCAVATED WASTE THAT IS MIXED WITH SOIL SHALL NOT BE USED AS SOIL BACKFILL.

METHANE BARRIER DETAILS
NTS



PIPING PLAN
NTS



REFER TO STRUCTURAL PLANS S1-S5 IN APPENDIX B



09/07/2023

FOR PERMITTING PURPOSES ONLY

REV	DATE	DESCRIPTION	BY
1	6/16/23	REMOVED REFERENCES TO SITE'S	JA
2		PREVIOUS PERMIT NO. AND UPDATED	
3		FACILITY NAME	
4	8/11/23	REVISED DETAILS AND UPDATED TITLE	JA
5	9/7/23	ADDED MIN 12" THICKNESS ON NOTE 1	JA
TEXAS BOARD OF PROFESSIONAL ENGINEERS REG. NO. F-3407			

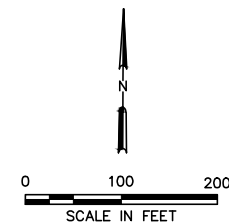
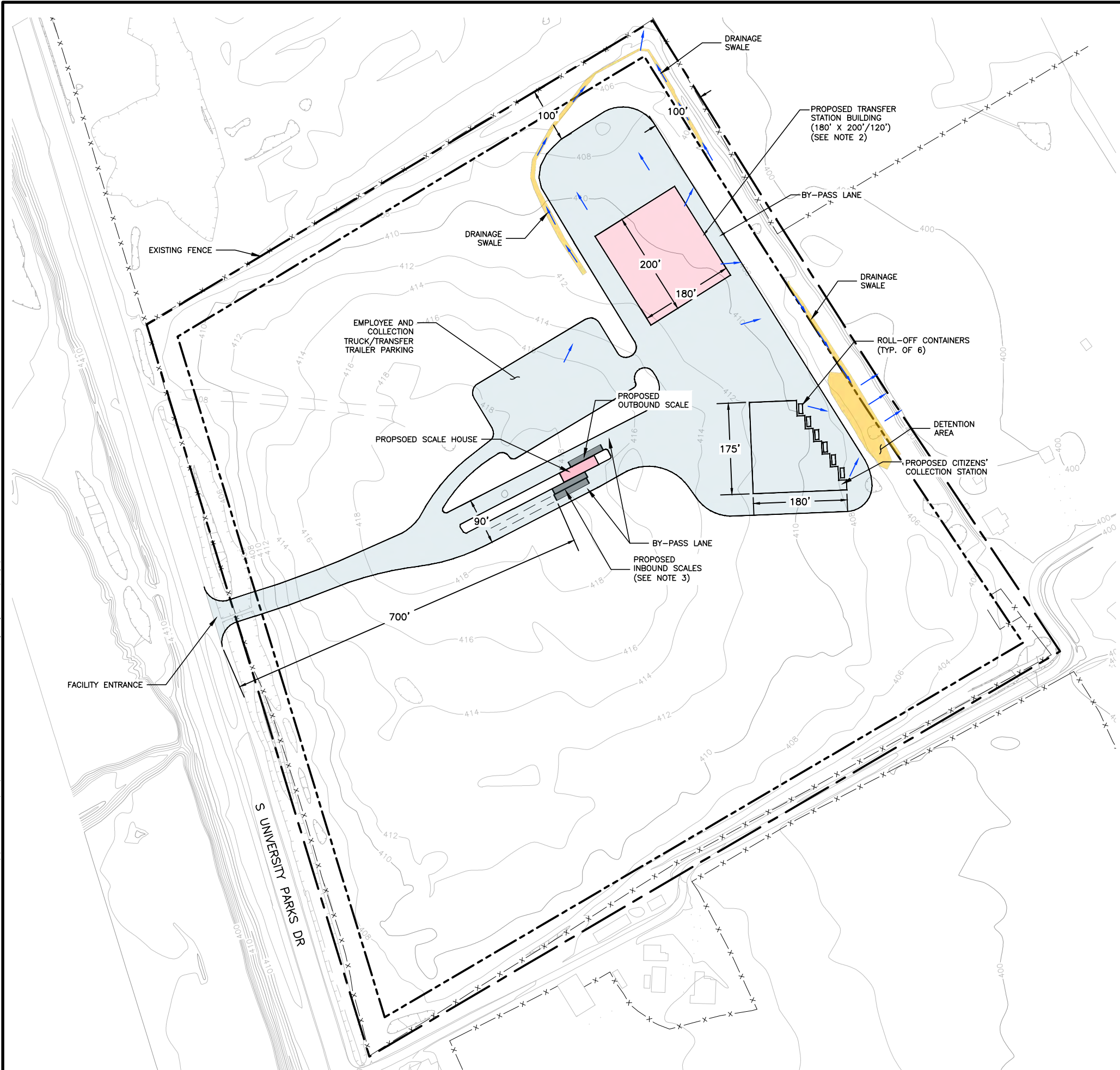
DRAWING TITLE	TRANSFER STATION FOUNDATION/METHANE BARRIER AND GAS VENTILATION DETAILS
PROJECT TITLE	CITY OF WACO TRANSFER STATION FACILITY DEVELOPMENT PERMIT APPLICATION

CLIENT	CITY OF WACO 6165 - 5733 FM 3400 WACO, TEXAS, 76706
--------	---

SCS ENGINEERS STEARNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS 1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021 PH (817) 571-2288 FAX NO. (817) 571-2188	DATE: 06/2023 SCALE: AS SHOWN DRAWING NO. 13.1
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PROJ. NO. 1622063.00 DATE: 06/2023	DWN. BY: BSC CHK. BY: JA	APP. BY: JA
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- LEGEND**
- PROPERTY BOUNDARY
 - - - APPROX. LIMITS OF WASTE (SEE NOTE 1)
 - EXISTING GRADE CONTOURS
 - X- EXISTING FENCE
 - PROPOSED PAVEMENT AREA
 - PROPOSED EROSION PROTECTION
 - SURFACE WATER FLOW ARROWS

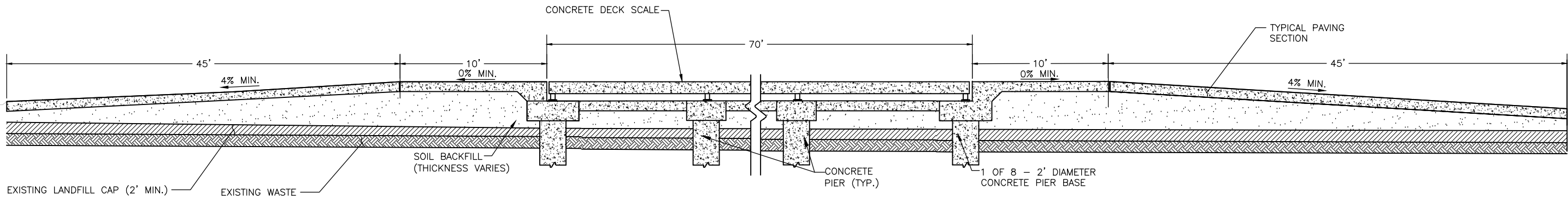
- NOTES:**
1. APPROXIMATE LIMITS OF WASTE WERE VERIFIED BY GEOTECHNICAL INVESTIGATION DATED JANUARY 2023 (SEE APPENDIX A).
 2. INITIAL SIZE OF TRANSFER STATION WILL BE 180'X120' WITH FUTURE EXPANSION OF UP TO 200' IN LENGTH.
 3. FUTURE INBOUND SCALES WILL BE INSTALLED AS NEEDED TO ACCOMMODATE INCREASES IN THE WASTE ACCEPTANCE RATE OVER THE SITE OPERATING LIFE.
 4. ALL DIMENSIONS ARE APPROXIMATE AND WILL BE FINALIZED PRIOR TO CONSTRUCTION.



FOR PERMITTING PURPOSES ONLY

CADD FILE: CO - SITE PLAN		DATE: 06/2023		SCALE: AS SHOWN		DRAWING NO. C0	
SCS ENGINEERS STEARNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS 10000 GREENBERRY STREET, BEDFORD, TX 76021 PH (817) 571-2288 FAX NO. (817) 571-2188		CLIENT CITY OF WACO 6165 - 5733 FM 3400 WACO, TEXAS, 76706		PROJECT TITLE CITY OF WACO TRANSFER STATION FACILITY DEVELOPMENT PERMIT APPLICATION		DRAWING TITLE SITE PLAN	
PROJ. NO. 16222063.00		DINK. BY BGC		D/A RW BY BGC		BY	
DGN. BY JA		DGN. BY SDS		APP. BY JA		REV	

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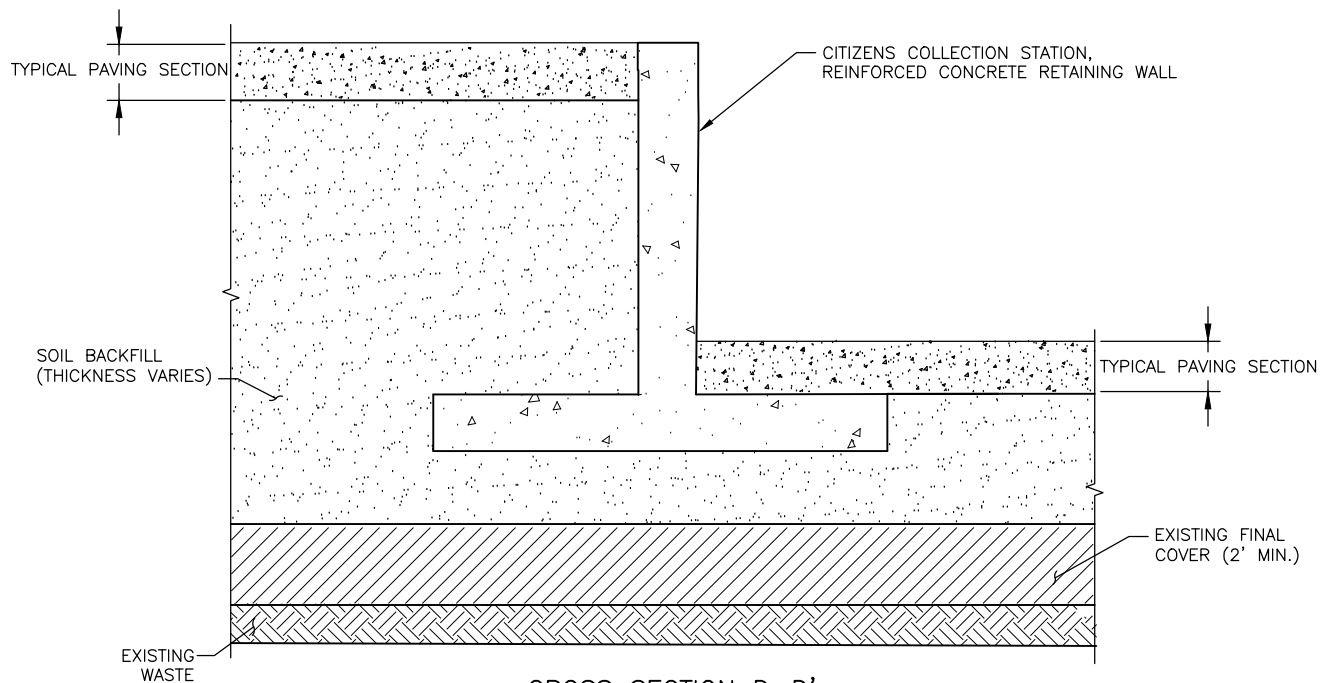


NOTE:

1. THIS IS A TYPICAL SECTION FOR EITHER INBOUND OR OUTBOUND SCALES.

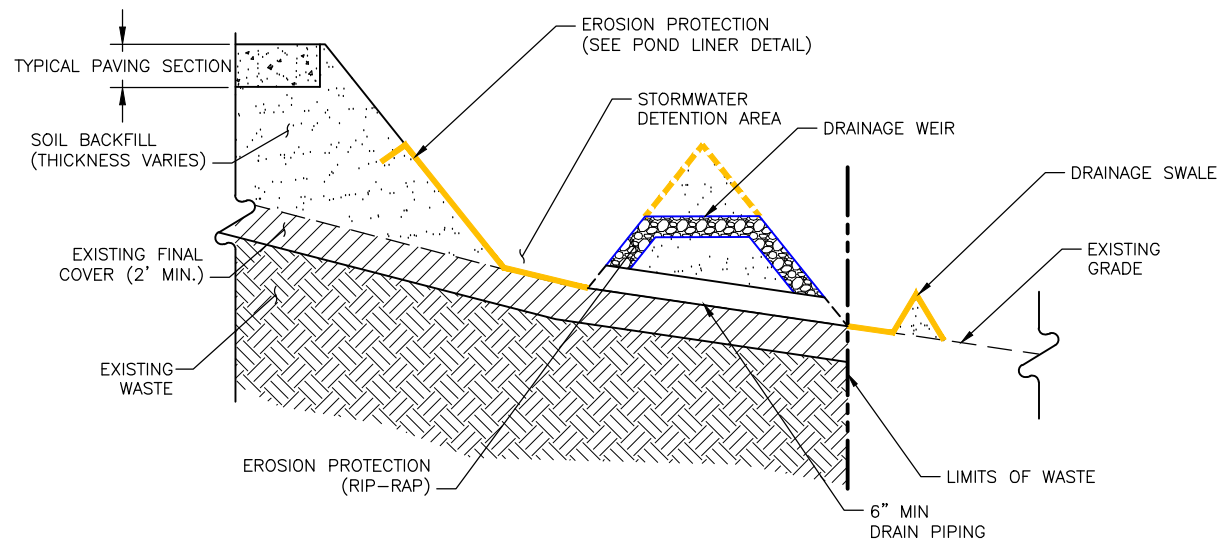
CROSS SECTION C-C'

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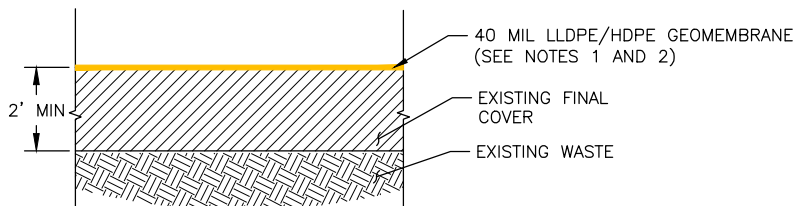
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CROSS SECTION E-E'

NTS



NOTES:

1. GEOMEMBRANE LINER WILL BE INSTALLED IF DETENTION POND IS LOCATED WITHIN LIMITS OF WASTE. POND AREAS OUTSIDE THE LIMITS OF WASTE WILL BE LINED WITH ECB/TRM.
2. GEOMEMBRANE LINER WILL NOT BE INSTALLED IF DETENTION POND IS LOCATED OUTSIDE LIMITS OF WASTE, BUT INSTEAD WILL BE LINED WITH ECB/TRM FOR EROSION PROTECTION.

POND LINER DETAIL

NTS



FOR PERMITTING PURPOSES ONLY

REV	DATE	DESCRIPTION	BY
1	9/7/23	ADDED POND LINER DETAIL AND UPDATED JA	JA
2		CALLOUT FOR EROSION PROTECTION	
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DRAWING TITLE	DETAILS - 3
PROJECT TITLE	CITY OF WACO TRANSFER STATION FACILITY DEVELOPMENT PERMIT APPLICATION
CLIENT	CITY OF WACO 6165 - 5733 FM 3400 WACO, TEXAS, 76706
SCS ENGINEERS	STEARN, CONRAD AND SCHMIDT CONSULTING ENGINEERS 1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021 PH (817) 571-2288 FAX NO. (817) 571-2188
PROJ. NO.	1622063.00
DATE	09/07/2023
BY	JA
CHECKED BY	SDS
APPROVED BY	JA
CADD FILE	C4-06 - DETAILS
DATE	06/2023
SCALE	AS SHOWN
DRAWING NO.	C6

Appendix H
Copy of MSW Permit 1039

July 26, 1977

Honorable M. A. Smith
Mayor of Waco
P. O. Box 1370
Waco, Texas 76703

Subject: Solid Waste - McLennan County
City of Waco - Solid Waste Permit No. 1039
3,000 Ft. SW of Int. of FM 434 (S. 3rd St.) and Tinsley Rd.
and 1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

Dear Mayor Smith:

A permit for your solid waste disposal site at the above location is enclosed. We appreciate your cooperation in our evaluation and approval procedures.

Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations, and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

We are enclosing a copy of this Department's latest "Municipal Solid Waste Management Regulations" which became effective April 20, 1977. Particular attention is invited to Section F which prescribes procedures which must be followed with respect to ground and surface water protection; the disposal of mixed and special wastes; and disposal of hazardous wastes.

Roe
Don
for JCC
[Signature]

Your solid waste disposal facility is subject to inspection by State and local authorities and public health officials at any reasonable time. If this Department can provide any further information or should you have any questions regarding the requirements of this Department's "Municipal Solid Waste Management Regulations", please feel free to contact us at any time.

Sincerely,

G. R. Herzik, Jr., P. E.
Deputy Director for Environmental
and Consumer Health Protection

JCC:lat
Enclosure

cc: Region 6, TDHR
Waco-McLennan County Health Department
Senator Grant Jones
Representative Latty Denton
Representative Lyndon Olson, Jr.

Rmk
Don
for sec

Texas Department of Health Resources

AUSTIN

TEXAS

INTER - OFFICE

FROM Edwin B. Fuller Jack C. Carmichael, P.E.
Hearings Examiner TO Division of Solid Waste Management

SUBJECT Solid Waste - McLennan County
City of Waco
Permit Application No. 1039

The attached permit with special provisions has been signed and sealed by the Director and received a final review by the Hearings Examiner.

This permit is now ready to be transmitted to the applicant.

Notice of this action has been sent this date to Mr. Greg Humbocch, 6224 May Dr., Waco, Texas 76710.

EBF/ah

SIGNED 

DATE July 22, 1977

FORM NO. AG-2

Permit No. 1039

Coordinates: N 31°30.00' W 97°05.00'

PERMIT FOR A MUNICIPAL SOLID WASTE FACILITY
issued under provisions of Article 4477-7, Vernon's
Texas Civil Statutes, and the Texas Department of Health
Resources' "Municipal Solid Waste Management Regulations"

Permittee

Name: City of Waco
Address: P. O. Box 1370
Waco, Texas 76703

Site Owner

Name: Neeley Sand and Gravel, Inc.
Address: Box 705
Waco, Texas 76703

Legal Description of Site: The legal description as submitted in the application is hereby made a part of this permit.

Size and Location of Site: The 64.71-acre site is located 3,000 feet southwest of the intersection of FM 434 (South 3rd Street) and Tinsley Road and 1/3 mile south of Tinsley Road in the extraterritorial jurisdiction of the City of Waco in McLennan County.

Operational Classification of Site: Type I

Waste Disposal Methods Used at Site: Area method of disposal with daily compaction of solid waste and cover with a minimum of six (6) inches of compacted earth, except as otherwise required by the attached Special Provisions.

Description of Waste Materials Processed at Site: Solid wastes under the regulatory jurisdiction of the Texas Department of Health Resources, when disposed of or processed in accordance with the Department's "Municipal Solid Waste Management Regulations".

Standard Provision: Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

Special Provisions: See Attachment - "Special Provisions for Municipal Solid Waste Permit No. 1039".

This permit will be valid until cancelled or revoked by the Director of the Texas Department of Health Resources or until the site is completely filled and rendered unusable, whichever occurs first.

Given under my Hand and Seal of Office at Austin, Texas on the 22nd day of July, 1977.

/s/ Fratis L. Duff, M.D.

Fratis L. Duff, M. D.
Director

(SEAL)

SPECIAL PROVISIONS FOR MUNICIPAL SOLID WASTE PERMIT NO. 1039

- A. Property Rights: It is the responsibility of the herein named permittee to possess or acquire a sufficient interest in or right to the use of the property herein described for the purposes for which this permit is issued. The granting of this permit does not convey any property rights or interest in either real or personal property, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of Federal, State or local laws or regulations outside the scope of the authority under which this permit is issued.
- B. Groundwater Protection: Prior to depositing any solid waste in any excavation, the permittee shall provide to the Department a certificate from a registered professional engineer that testing by a soils laboratory of soil layers, in their undisturbed, natural, or original condition, that will form the bottom and sides of such excavation has been performed and lining provided where necessary. Such report of testing shall include soil classification, depth of lining, and field densities to insure sufficient impermeability.
- C. Surface Water Protection: Rainfall runoff within the landfill that has become contaminated by solid waste shall not be discharged from the site.
- D. Odor and Air Pollution Control:
1. Any ponded water at the site must not become a source of obnoxious odors.
 2. All applicable Texas Air Control Board regulations concerning air pollution control shall be observed.
- E. Site Development and Operation:
1. The permittee shall monitor bird flight activity to determine if birds which may be attracted to the landfill site create an air navigation hazard in the primary approach and departure areas of the nearby airport. The permittee, for a period of two (2) years, shall submit to the Fort Worth Airports District Office, Federal Aviation Administration, P. O. Box 1689, Fort Worth, Texas 76101, with a copy to the Texas Department of Health Resources, a monthly letter report indicating the level of bird activity associated with the operation of this site. At any time that there is an increase in the amount of birds attracted to the landfill site, the permittee shall contact the airport manager to determine if the landfill bird activity is creating an air navigation safety hazard. Should such a hazard appear to exist in the opinion of the airport manager, the permittee shall submit a special letter report to the Airports District Office with a copy to the Department. Upon receipt of such report, the Airports District Office and the Department may conduct a joint inspection of the landfill site and airport area to determine if an air navigation hazard exists and whether or not the hazard is attributed to the landfill operation. If it is determined that the hazard is attributed to the landfill, the permittee shall immediately cease receiving solid waste and cover all exposed solid waste with two feet of soil. Operations shall not be resumed without the concurrence of the Department.

not per *gll*

At any time subsequent to the initial two-year reporting period, the Department may reinstitute the requirement to submit periodic bird activity reports if a site inspection by the Department reveals that the landfill site is attracting a significant amount of birds which could create an air navigation safety hazard.

2. Brush and construction-demolition waste disposal shall be accomplished as outlined in subsection F-3 (Operational Standards for Type IV Operation) of the Department's "Municipal Solid Waste Management Regulations" dated April 1977 within an area specifically designated for that purpose and physically separated from other disposal operations by fencing, with access through a separate or controlled entrance.

F. Site Closing: When disposal operations are completed and/or before abandonment of the site, the disposal area shall be completely and properly closed in accordance with the regulations of the Texas Department of Health Resources pertaining thereto.

G. Surety Bond: Not required.

R. [Signature] [Signature] [Signature]

LEGAL DESCRIPTION OF TRACT
OF LAND FOR USE BY
CITY OF WACO
AS A SOLID WASTE DISPOSAL SITE

STATE OF TEXAS

COUNTY OF McLENNAN

64.71 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a part of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Volume 855, Page 426 and Volume 916, Page 72 of the McLennan County, Texas deed Records, respectfully.

Beginning at an iron stake in the west line of Farm-to-Market Road #434, sometimes known and referred to as the South 3rd Street Road, at its point of intersection with the south line of the Second Tract for the southeast corner of this; said point of beginning also being the southwest corner of that certain 0.056 acre tract of land conveyed to the McLennan County, Texas by deed recorded in Volume 621, Page 185 of the said deed records:

Thence S 62° W 2950.67 ft (1062.24 vrs.) with the south line of the said Second Tract, an old fence line, to an iron stake at its southwest corner;

Thence N 27°45' W 70 ft (25.2 vrs.), S 63°55' W 874.72 ft (314.9 vrs.) and S 62° 15' W 674.83 ft (242.94 vrs.) to an iron stake in the east line of the S.A. & A.P. Railroad right-of-way and in the west line of the said Fourth Tract for the southwest corner of this;

Thence N 14° 45' W 1473.33 ft (530.4 vrs) with the east line of the said S.A. & A.P. Railroad right-of-way and the west lines of the said Fourth and First Tracts to an iron stake for the northeast corner of this; said stake being the northwest corner of the said First Tract;

Thence N 61° 15' E 1140.8 ft (410.69 vrs.) with the north line of the said First Tract, an old fence line, to an iron stake at its northeast corner;

Thence S 30° 28' E 1248.07 Ft (449.31 vrs.) with the east line of the said First Tract and along a meandering fence line to an iron stake at its southeast corner and at the northwest corner of the said Second Tract;

Thence along a fence line, the north line of the said Second Tract, N 62° 26' E 1581.90 ft (569.48 vrs.) and N 62° 21' E 1392.77 ft (501.4 vrs.) to an iron stake in the west line of the said F. M. Road #434 and at the northwest corner of the said McLennan County, Texas Tract;

Thence S 26° 22' E 284.3 ft (102.35 vrs.) with the west line of the said F. M. Road #434 and the west line of the said McLennan County, Texas Tract to the point of beginning.

cc: City-County Health Department

RHR
KRM

Jack C. Carmichael, P. E.
Director
Division of Solid Waste Management

Mr. Hal L. Nelson, Assistant Chief
Legal and Claims Services

Solid Waste - McLennan County
City of Waco - Permit Application No. 1039
3,000 Ft. SW of Int. of FM 434 (S 3rd St.) and Tinsley Rd., and
1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

On February 22, 1977, the Texas Department of Health Resources received an application for a permit to operate a proposed Type I municipal solid waste landfill near Waco, McLennan County, Texas. The application was processed in accordance with this Department's "Municipal Solid Waste Management Regulations", and the "Solid Waste Disposal Act", Article 4477-7, Vernon's Texas Civil Statutes. Appropriate agencies, officials, and authorities were provided an opportunity to comment on the application. Following due notice by publication in a local newspaper of a public hearing notice, a public hearing was held at the City Council Room, City Hall, in Waco, McLennan County, on May 25, 1977. The hearing record was closed at the end of the hearing, there being no apparent reason for the record to remain open. The decision by the Director of the Texas Department of Health Resources will be due by July 25, 1977.

The application for permit and supporting materials received by the Texas Department of Health Resources from the applicant consisted of the following:

1. Municipal Solid Waste Permit Application
2. Map showing the location of the site
3. Legal description of the site
4. Engineering report prepared by City of Waco Engineering Department
5. Soil test report

The following persons from the Texas Department of Health Resources conducted the public hearing:

1. Mr. Edwin B. Fuller, Hearings Examiner
2. Mr. Robert H. Ray, P. E., Project Engineer

The following person from the Texas Department of Health Resources also participated in the public hearing:

Mr. Earl A. Ballman, P. E., Region 6

P. H. L.

Significant comments by review agencies are summarized as follows:

1. Texas Water Quality Board: If this site is approved by the Texas Department of Health Resources, the following recommendations may be considered to decrease the hazard to ground and surface water quality:
 - a. Solid waste should not be disposed of within three feet of the water table. Consideration should be given to the possibility of variations in the depth to water table at this site.
 - b. Any excavation at the site should be lined with suitable material to prevent the exfiltration of leachates. Such lining is essential where water-bearing sands and/or gravels are present.
 - c. Surface water diversion dikes should be constructed to divert runoff away from the site. Diversion dikes also serve to contain contaminated surface water within the site boundaries.
 - d. Working face berms should be constructed to minimize the amount of contaminated water.
 - e. Contaminated water should not be discharged from the site.
2. Texas Air Control Board: We have reviewed the above cited document and recommend approval. An investigation of the site indicates outdoor burning is prohibited under Texas Air Control Board Regulation I, Rule 101.23. We would remind the applicant that the site must be operated in compliance with all Board Rules and Regulations, specifically those pertaining to outdoor burning, particulate matter and nuisances.
3. Texas Water Development Board: The proposed operation will not affect the flood waters of any stream and an "Application for Approval of a Levee Project" will not be required.
4. State Department of Highways and Public Transportation: This agency was not contacted inasmuch as no primary highway is located within 1,000 feet of this site.
5. County Judge: No comments were received.
6. County Health Authority: No comments were received.
7. Mayor of Waco: No comments were requested inasmuch as the City is the applicant.
8. Municipal Health Authority: (Waco-McLennan County Health Department)
No comments were received.

9. Federal Aviation Administration: The proposed site is adjacent to the Flying Heart Ranch Airport owned by Mr. Joe A. Stahl, Route 6, Box 230, Waco, Texas 76706. As you may realize, there is a landfill immediately adjacent to the airport. This landfill has been in existence for several years, and we have received no complaints of birds in the area. For this reason, we do not object to the issuance of this permit; however, it is requested that the usual two year, monthly reporting procedure be included as a special condition of the permit.
10. Fort Worth District, U.S. Army Corps of Engineers: A Corps of Engineers permit under the "Federal Water Pollution Control Act" will not be required inasmuch as no fill materials will be discharged into navigable waters or contiguous or adjacent wetlands.

Texas Department of Health Resources Comments:

1. TDHR Region 6: The proposed solid waste site contains 64.71 acres with estimated usage of two years. The site is under the extrajurisdiction of the City of Waco and leased from Neeley Sand and Gravel, Inc. Gravel and sand was mined from the site by the owner. The land use within one mile of the site is primarily used for agricultural purposes. Some mining of sand and gravel continues in the vicinity. The City is currently using a site directly north of the proposed site. The residence nearest the south side of the site obtains its water for human consumption from a community water system. The City plans to monitor the individual water wells as shown on the engineering plans on a monthly basis in order to make sure that there is no contamination occurring.

The ground water table varies from 13 to 18 feet below the normal ground elevation according to the soil boring information. The sides and bottoms of all landfill trenches or disposal areas must be properly lined with a minimum of three (3) feet of selected impermeable clay type material to prevent the percolation of leachate into the groundwater when permeable soil areas are encountered. The selected impermeable clay type material referred to should have a permeability of not more than 1×10^{-7} cm/sec with a Liquid Limit of not less than 30, and a Plasticity Index of not less than 15. A minimum of three feet of bottom lining must be maintained above the groundwater elevation before placement of solid waste.

Suitable working face dikes and/or any other suitable water diversion methods should be provided to control and minimize contact between the water and solid waste.

RWC
DAN

Rainfall runoff within landfill area must not be discharged from the site. The site is located 100 feet from the end of the secondary runway and 1,250 feet parallel to the primary runway of a private airstrip owned by the Flying Heart Ranch. The City officials stated that the owner presently uses the airstrip very seldom. The City's existing sanitary landfill occupies the land that is leased from the Flying Heart Ranch. The existing landfill site is located adjacent to both runways.

Mr. Jim Hannan, Director of Public Services, states that the City plans to amend the permit application not only for a Type I site, but also for a Type V (Brush-Demolition Waste Disposal Site) within the same facility.

Based on the inspection of the site location and information, available it is the writer's (Earl A. Ballman, P. E.) opinion that the disposal of municipal solid waste at the site, if operated in compliance with the Department's "Municipal Solid Waste Management Regulations", dated April 1977, will not present any public health problems to the surrounding area.

2. Division of Solid Waste Management:

- a. Geologist: Site is located in abandoned sand and gravel quarry in fluvial terrace deposits composed of gravel, sand, silt, and clay along the Brazos River. These deposits overlie the Ozan formation ("lower Taylor earl"). Sand and gravel have apparently been removed from excavations which were carried to a depth of about 24 feet or to the "blue clay" (Ozan), with the "fines" left so that the pit is backfilled to within about 12 feet at the surface. Depth to groundwater in the borings ranged between elevations 386 feet and 391 feet. The groundwater level at this site is likely subject to fluctuation as it probably is in hydrologic contact with the Brazos River flow. These terrace and alluvial deposits produce useable groundwater. Site should be satisfactory if operational procedure as described in Section H.5 of the application is maintained, namely: "This pit will be cleaned around the periphery down to the shale bottom and the sides will be sealed from 4 feet to 6 feet horizontal thickness of the heavy Bell clay up to above the groundwater level. Bottom and sides of the site will be sealed with 2 feet to 4 feet of the heavy Bell clay". Atterberg limits and permeability tests on the Bell clay overburden indicate that it should be suitable lining material when recompacted.

Handwritten signature/initials

- b. Project Engineer: This is a proposed Type I solid waste landfill located within the extraterritorial jurisdiction of the City of Waco in McLennan County. The site contains an area of approximately 64.71 acres. The site is located to the south of an existing landfill. The surrounding land use is mainly agricultural with some sand and gravel mining. There are no water wells within 500 feet of the proposed site. The houses in the vicinity of the landfill are reported by the City of Waco to receive drinking water from a community water system. The engineering report states that a monthly chemical analysis will be made of the wells near this site to determine if contamination has taken place. The water table is from 13 feet to 18 feet below natural ground level in the area of this site. There were six (6) soil borings made but only one (1) bag sample was submitted to a commercial testing laboratory for analysis for permeability, liquid limits and plasticity index, all of which meet the requirements of the Department's Regulations. The logs of the borings indicate that a gravel stratum is encountered as shallow as 6 feet below the surface. It is recommended that this site be lined, in the bottom and sides, with a minimum of three (3) feet of compacted clay to prevent groundwater contamination. The operational plan submitted by the City of Waco, if followed, should prevent any contamination of ground or surface water in the area.

Additional Comments or Considerations:

The testimony presented at the public hearing indicates that this can be operated as a good Type I solid waste disposal site. Mr. James O. Hamm, P. E., Director of Public Services for the City of Waco, testified that there were no water wells within 500 feet of the proposed site. The City has had soil tests made on the soils at the site and these meet or exceed the requirements of the Department. This proposed site is adjacent to the existing landfill. The water that is presently in the site will be pumped out and the site will be lined with three (3) feet of compacted clay-type material before it is put into operation. The groundwater level in this area varies from 13 to 18 feet below the surface and the plan is to stay 3 feet above the water table. There will be an area set off for brush and construction-demolition materials. There are no pipe lines on the site and no hazardous materials are accepted. If disposal of this type of material is requested of the City, the Health Department will be contacted for special instructions before such materials are accepted for disposal.

A site inspection by the Project Engineer indicates that the testimony presented and the information contained in the engineering report submitted with the permit application are correct.

The comments by the Texas Water Quality Board concerning lining of the site, depositing material within 3 feet of the water table, diversion dikes and discharge of contaminated water from the site were answered in the engineering report submitted by the City and the testimony at the public hearing. All of the requirements suggested will be complied with.

Rover
Don


It is recommended that permit No. 1039 with special provisions to operate a solid waste disposal site, as proposed in the attachment hereto, be issued to the City of Waco in view of the preceding comments and for the following specific reasons:

1. Recommendations from responsible officials and agencies regarding the technical aspects of the application are almost totally favorable to the issuance of a permit. Issuance of the permit with the proposed special provisions should not significantly endanger the health, welfare or physical property of the residents of the area.
2. The information submitted by the applicant and the testimony presented at the public hearing indicate that this can be operated as a good Type I solid waste disposal landfill.
3. The landfill, if operated according to the Texas Department of Health Resources' "Municipal Solid Waste Management Regulations", is not expected to become a public health hazard or public nuisance.
4. There was no opposition or objections to the operation of this solid waste disposal site offered before or during the public hearing.

RHR:lat
Attachments

Signed _____

Date _____


7-14-77

RHR
Waco

ATTACHMENT 2
MARKED VERSION

Subchapter T Development Permit Application (30 TAC §330.957)

City of Waco Transfer Station Facility

501 Schroeder Dr
Waco, Texas 76710



Date: 09/06/2023

SCS ENGINEERS

16222063.00 | May 2023

Revision 1 – June 2023

Revision 2 – August 2023

Revision 3 – September 2023

1901 Central Dr., Suite 550

Bedford, TX 76021

817-571-2288

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- C Methane Monitoring Equipment Specifications
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- E Notice of Coordination Letters
- F Certified Copy of the City Charter
- G Geosynthetic Specifications
- H Copy of MSW Permit 1039



2 ENGINEER'S CERTIFICATION (30 TAC §330.957(b))

Certification of no Potential Threat to Public Health or the Environment:

I, Jeff Arrington, P.E. #61895 certify that the proposed development will not increase or create a potential threat to public health or the environment. Further, I certify that the proposed development will not damage the integrity or function of any component of the Closed Municipal Solid Waste Landfill Unit, including, but not limited to, the final cover, containment systems, monitoring system, or liners. This certification includes all documentation of all studies and data on which I relied in making these determinations.



Signature/Seal

Date 09-06-2023

12 GROUNDWATER AND SURFACE WATER STATEMENT (30 TAC §330.957(I))

12.1 Groundwater Statement

Based on soil borings performed during the Geotechnical Investigation in 2023 (See Appendix A), liquid was encountered at depths ranging between 6 feet and 23 feet below ground surface.

Groundwater levels outside the landfill are expected to rise and fall on a seasonal basis, and are influenced by rainfall and the level of the Brazos River. The original landfill permit indicated that prior to landfill development, the groundwater table was approximately 13 to 18 feet below ground surface elevations based on limited observations in soil borings. Liquid levels within landfills are typically different from groundwater levels outside the respective landfill and do not have any direct correlation with each other. No groundwater wells were installed at this landfill due to its age and closure prior to groundwater monitoring requirements. As such, there is no groundwater monitoring data available for this site. ~~on existing groundwater elevations surrounding the landfill.~~ The water observations conducted for this investigation are short-term and should not be interpreted as a groundwater study. However, the presence of liquids within the landfill will affect construction and long-term performance of the proposed foundations and pavements. The proposed deep foundation will adequately address the presence of liquids and solid waste within the landfill.

A groundwater monitoring system is not proposed for this site based on the age of the landfill and no history of compliance issues related to groundwater at this site. Based on a review of the landfill permit files available from TCEQ, There ~~there~~ is no indication that groundwater contamination is present in the vicinity of the closed landfill. The permit documents indicate that the landfill cells were lined with 3 feet thick constructed clay liners. In addition the proposed development will reduce infiltration into the final cover due to additional soil fill material and impervious surfaces.

12.2 Surface Water Statement

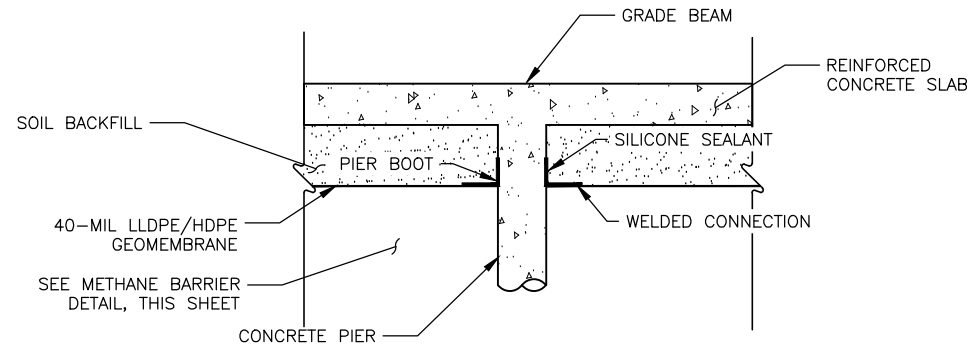
Surface water will generally sheet flow away from the buildings and pavement into the existing swales along the highway and along the property lines. The existing drainage patterns will be maintained with the proposed improvements, including drainage swales and detention area. A detention area is proposed adjacent to the citizens collection station to collect and control stormwater associated with the addition of impervious surfaces. This detention pond will be lined with 40-mil LLDPE/HDPE geomembrane if it is constructed within limits of waste and with ECB/TRM if it is located outside limits of waste. The drainage swales and detention area will be lined with erosion control blanket or turf reinforcement mat to prevent erosion and maintain vegetation growth. These features are depicted on the civil drawings contained in Appendix B.

The site is located outside the 100-year flood plain for the Brazos River according to FEMA Flood Insurance Map of McLennan County, Texas Map Number 48309C0575D dated 12/20/2019.

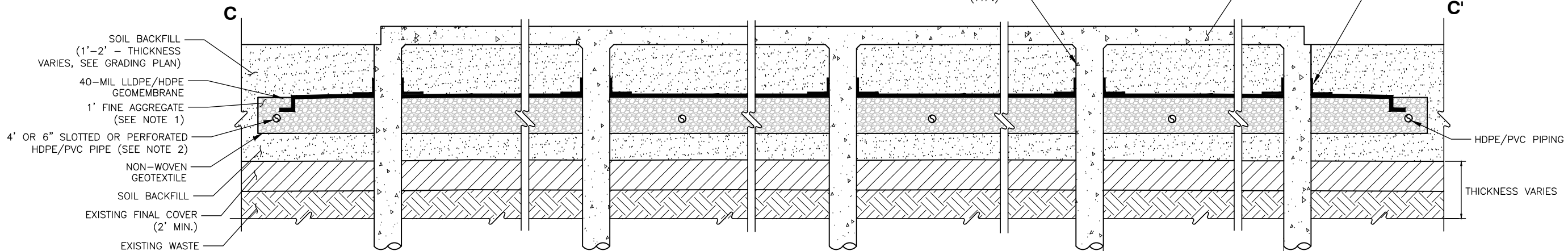
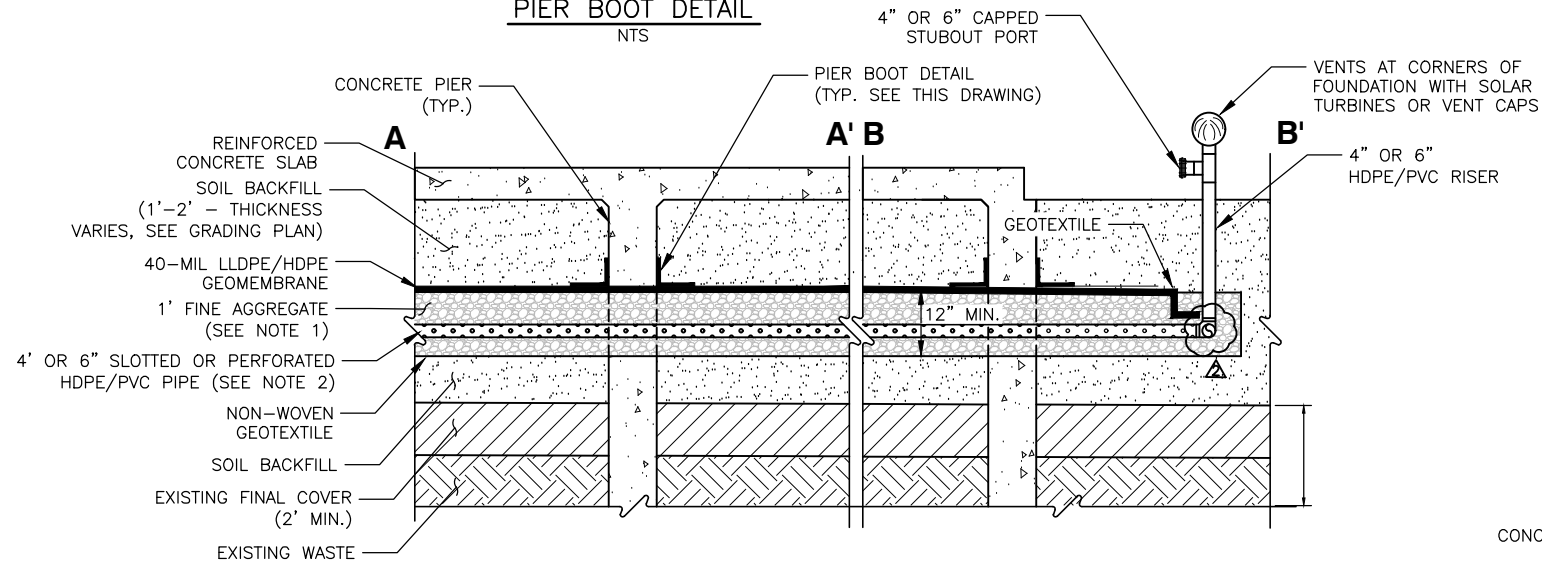
Appendix B

Construction Plans

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PIER BOOT DETAIL
NTS



REFER TO STRUCTURAL PLANS S1-S5 IN APPENDIX B

NOTES:

- FINE AGGREGATE SHALL BE COARSE SAND OR FINE GRAVEL THAT IS COMPOSED OF AN OPEN GRADED, CLEAN MATERIAL, WITH MINIMUM 12" THICKNESS.
- SLOTTED OR PERFORATED PIPING SHALL EXTEND AROUND THE BUILDING PERIMETER AND BENEATH SLAB AS SHOWN ON PIPING PLAN DETAIL.
- PROVIDE FITTED HDPE BOOTS FOR A1C FOUNDATION PIERS (SEE PIER BOOT DETAIL, THIS SHEET)
- CONTINUOUS METHANE MONITORS SHALL BE INSTALLED IN THE VENT PIPE RISER. REFERENCE PIPING PLAN (THIS PAGE) FOR VENT RISERS AND METHANE MONITOR LOCATIONS.
- PROVIDE 4" OR 6" CAPPED PORT FOR FUTURE BLOWER IF NEEDED.
- PIERS SHALL EXTEND INTO UNDERLYING BEDROCK AS INDICATED ON STRUCTURAL PLANS S1-S5 IN APPENDIX B.
- EXCAVATED WASTE THAT IS MIXED WITH SOIL SHALL NOT BE USED AS SOIL BACKFILL.

METHANE BARRIER DETAILS
NTS

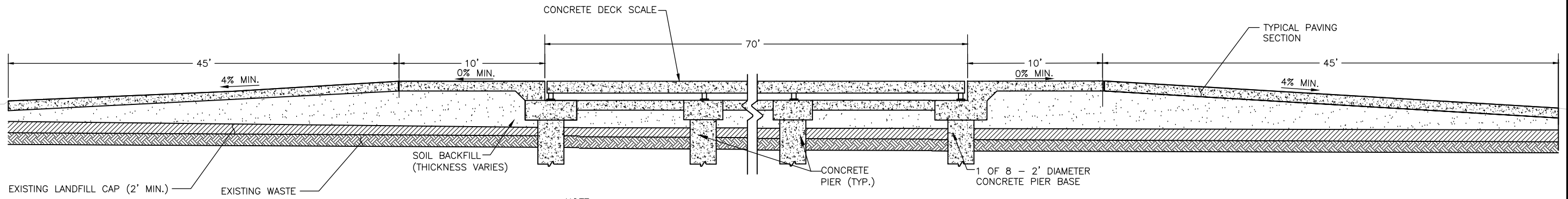


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FOR PERMITTING PURPOSES ONLY

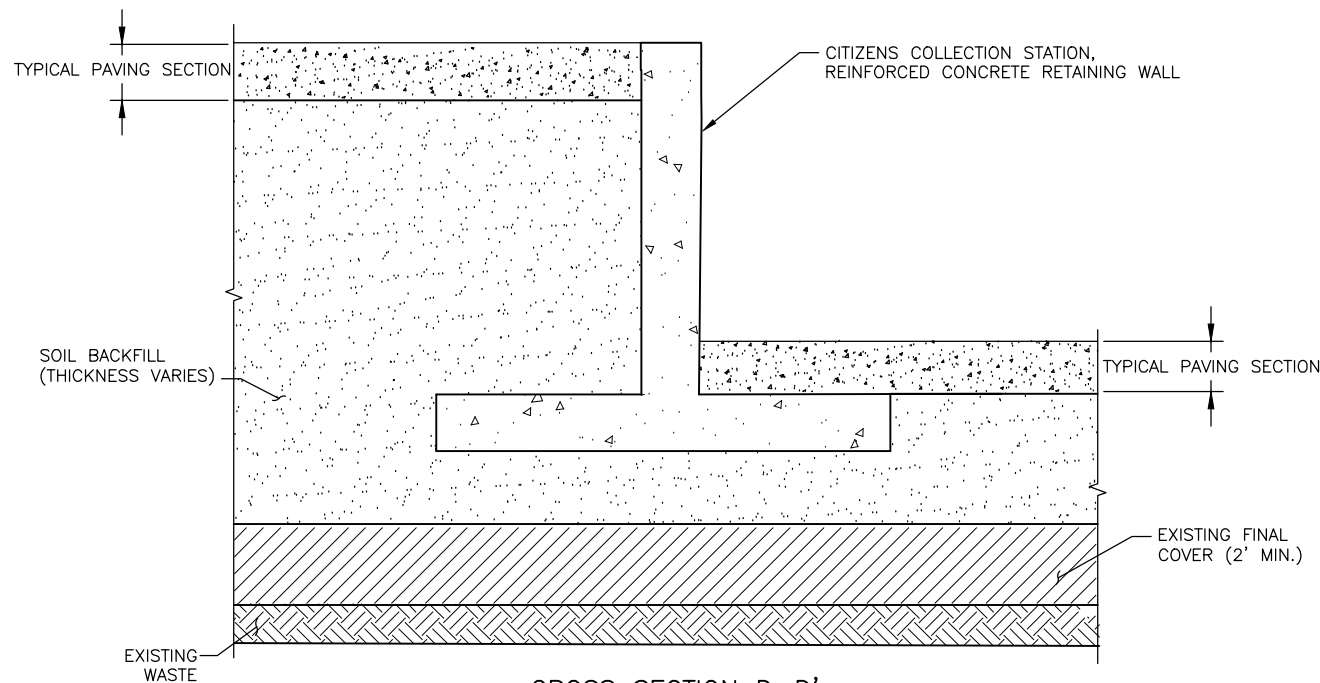
REV	DATE	DESCRIPTION	BY
1	6/16/23	REMOVED REFERENCES TO SITE'S	JA
2		PREVIOUS PERMIT NO. AND UPDATED	
3		FACILITY NAME	
4	8/11/23	REVISED DETAILS AND UPDATED TITLE	JA
5	9/7/23	ADDED MIN 12" THICKNESS ON NOTE 1	JA
TEXAS BOARD OF PROFESSIONAL ENGINEERS REG. NO. F-3407			
DRAWING TITLE			CLIENT
TRANSFER STATION FOUNDATION/METHANE BARRIER AND GAS VENTILATION DETAILS			CITY OF WACO
PROJECT TITLE			6165 - 5733 FM 3400
TRANSFER STATION FACILITY			WACO, TEXAS, 76706
DEVELOPMENT PERMIT APPLICATION			
SCS ENGINEERS			STEARN, CONRAD AND SCHMIDT
CONSULTING ENGINEERS			1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021
			PH (817) 571-2288 FAX NO. (817) 571-2188
			PROJ. NO. 1622063.00
			DWN. BY: BSC
			CHK. BY: JA
			APP. BY: JA
CADD FILE:			DATE:
13.1-13.2 - METHANE BARRIER DETAIL			06/2023
SCALE:			AS SHOWN
DRAWING NO.			13.1

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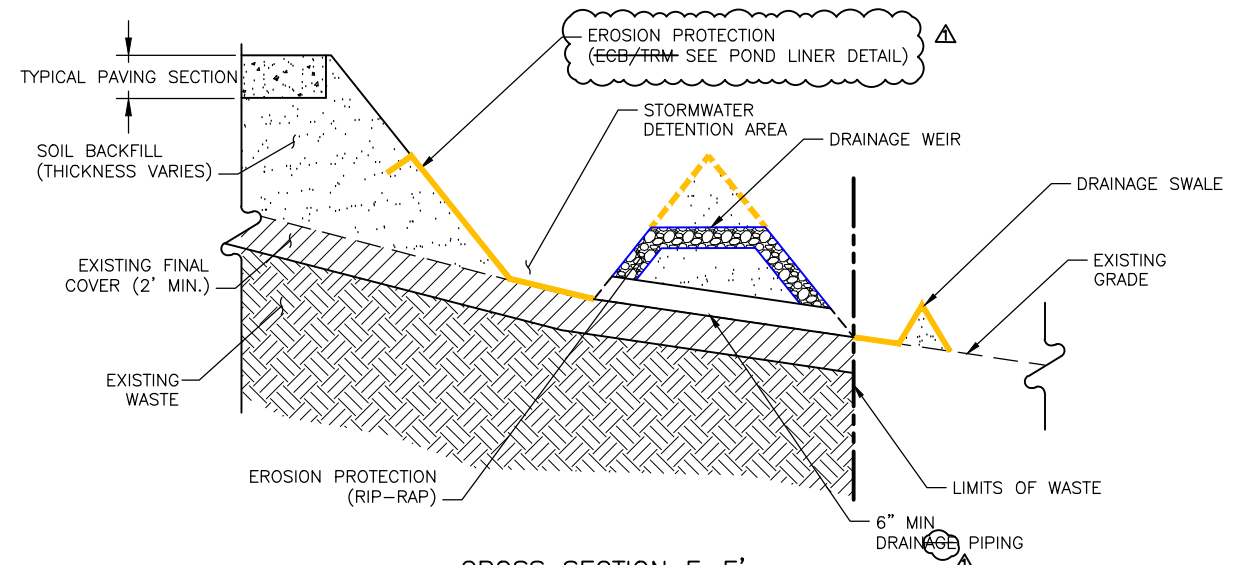


- NOTE:
1. THIS IS A TYPICAL SECTION FOR EITHER INBOUND OR OUTBOUND SCALES.

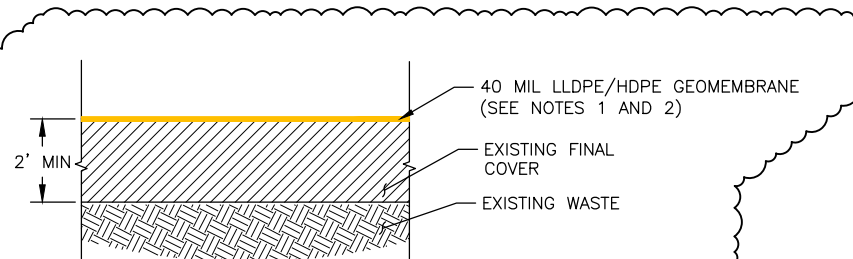
CROSS SECTION C-C'
NTS



CROSS SECTION D-D'
NTS



CROSS SECTION E-E'
NTS



- NOTES:
1. GEOMEMBRANE LINER WILL BE INSTALLED IF DETENTION POND IS LOCATED WITHIN LIMITS OF WASTE. POND AREAS OUTSIDE THE LIMITS OF WASTE WILL BE LINED WITH ECB/TRM.
 2. GEOMEMBRANE LINER WILL NOT BE INSTALLED IF DETENTION POND IS LOCATED OUTSIDE LIMITS OF WASTE, BUT INSTEAD WILL BE LINED WITH ECB/TRM FOR EROSION PROTECTION.

POND LINER DETAIL
NTS



09/07/2023

FOR PERMITTING PURPOSES ONLY

REV	DATE	DESCRIPTION	BY
1	9/7/23	ADDED POND LINER DETAIL AND UPDATED JA	
2		CALLOUT FOR EROSION PROTECTION	
3			
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DETAILS - 3
CITY OF WACO
TRANSFER STATION FACILITY
DEVELOPMENT PERMIT APPLICATION

CITY OF WACO
6165 - 5733 FM 3400
WACO, TEXAS, 76706

SCS ENGINEERS
STEARNS, CONRAD AND SCHMIDT
CONSULTING ENGINEERS
1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021
PH (817) 571-2288 FAX NO. (817) 571-2188
PROJ. NO. 16222063.00
DATE: 09/07/2023
BY: JA
CHECK: BSC
APP. BY: JA

CADD FILE:
04-06 - DETAILS
DATE:
06/2023
SCALE:
AS SHOWN
DRAWING NO.

C6

Appendix H
Copy of MSW Permit 1039