

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 15, 2009

LaDonna Castañuela, Chief Clerk
TCEQ Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 15 PM 1:47
CHIEF CLERKS OFFICE

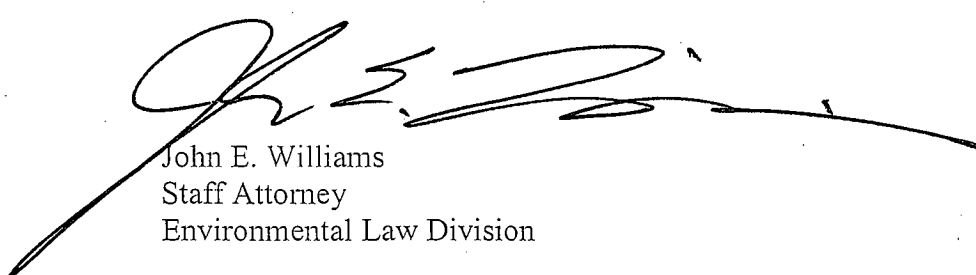
Re: Montgomery Landfill Solutions, L.P.
TCEQ Permit No. 2324
Docket No. 2005-1371-MSW
Executive Director's Response to Hearing Requests and Requests for
Reconsideration

Dear Ms. Castañuela:

I am enclosing for filing with the Texas Commission on Environmental Quality (Commission) an original and 7 copies of the "*Executive Director's Response to Hearing Requests and Requests for Reconsideration*" regarding the application by Montgomery Landfill Solutions, L.P. for Permit No. 2324.

Please file stamp these documents and return one to John E. Williams, Staff Attorney, Environmental Law Division, MC 173. If you have any questions, please do not hesitate to contact me at (512) 239-0455.

Sincerely,



John E. Williams
Staff Attorney
Environmental Law Division

TCEQ PROPOSED PERMIT NO. 2324

APPLICATION BY	§	BEFORE THE	2009 JUN 15 PM 1:47
MONTGOMERY LANDFILL	§	TEXAS COMMISSION ON	CHIEF CLERKS OFFICE
SOLUTIONS, L.P.	§	ENVIRONMENTAL QUALITY	

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS AND
REQUESTS FOR RECONSIDERATION

I. Introduction

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Requests and Requests for Reconsideration (Response) on the application of Montgomery Landfill Solutions, L.P. (Applicant) for Municipal Solid Waste (MSW) Permit Number 2324 (the Application).

Attached for Commission consideration are the following:

- Attachment A – Technical Summary and Draft Permit
- Attachment B – Executive Director's First Amended Response to Public Comment
- Attachment C – Compliance History
- Attachment D – GIS Map & Landowners List

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 1**:

- | | |
|---------------------|-------------------------|
| Heather Adams | Kennith Bishoff |
| Lori Adams | Lea Ann Bishoff |
| Rodney Adkinson | Betty Blackman |
| Lewis Akin | Terry Blackman |
| Amy Ashby | Violet Blackman |
| Kevin Ashby | W. L. Blackman |
| Emileen Atkinson | Ann Blackmer |
| Richard Atkinson | Robert Blackmer |
| Willie Mae Atkinson | Karen and Tim Bradberry |
| Ebbie Bailey | Barry Brannon |
| Martha Barr | Sherry Brannon |
| Deborah Bell | Courtney Brennan |
| Jason Bellini | Tila Brooks |
| Kimberly Bellini | Charles Buzbee |
| Rosalie Bianco | Marie Buzbee |

Laura Champagne
Gary Chunn
Penny Chunn
Concerned Citizen #1
Larry Wayne Collins
James Crandle
William Winwright Cribbs
Troy Deaton
David Deschner
Frank Fanning
Stephanie Ford
Vanda Ford
Skipper Fountain
Steven Geisman
Judith Gray
Melinda Hall
Sandy Hamilton
Steve Hamilton
Beverly Hammett
Jerry Hammett
Linda Hampton
Kathleen Harrison
Laurie Headings
Sonja Henry
Dallas Hiett
Barbara Huddleston
Timothy Huston
Bobbie Irwin
Stanley Johnson
Laura Jones
Ross Jones
Lorena Jungst
John Kenney
Marylin Kinney
Henry Knight
Sharon Labian
Francine Lafield
Brice Leverett
Edward Lichnerowicz
David Lounder
Christine Ludwig
David Ludwig
Charles Wade Lyle
Jose Marquez
Robert Martin
James and Lori Mattox

Jeffery McCaffrey
Melissa McCaffrey
Ronald McCaffrey
Don McCaslin
Maggie McCaslin
Meghan McCaslin
Tricia McCaslin
Barbara McLeane
Esmeralda McLeane
Matt McLeane
Ned McLeane
Michelle Miller
Robert Miller
Tommy Miller
Lorrie Minix
Christopher Morrill
Crystal Morrill
Milton Mueller
Rhonda Nash
David Neal
Debbie Neal
Casey Neely
Glenda O'Farrell
Judith O'Toole
John Overall
Jesse Prewitt
Kelly Radmanovich
Milorad Radmanovich
Francisco Ramirez
Lawrence and Carolyn Sue Rains
Patricia Ream
Robert Ream
Charles Reed
Kelly Reed
David Rendon
Terry Rollins
Maria Ronberg
Alexandra Ronngren
Daniel and Mary Rosales
Russel Schoonover
R. Allen Selph
R. T. Selph
Vera Shafer
Frances Sheppard
Bob Singleton
Sfc. James Singleton

Charley Smith
Jaren Smith
John Smith
Leah Smith
Richard Smith
Herbert Somplasky
Nikki Somplasky
Kathryn Spore
Linda Standley
Nancy Steward
Thomas Steward
Bennett Stone
David Tate
Rhonda Tate
Joyce Taylor
Adriadna Natalia Teapila
Billy Thompson
Kenneth Thompson
Todd Thompson
Gordon Trott
Kimberly Trott
Jason Turner

Sandra Turner
John Vickery
Maria Vickery
Margaret Wagner
R. L. Walker
R. W. Walker
James Walkinshaw, Jr.
Fahad Waqas
James Watkins, Jr.
Cliff Welch
Deborah Welch
Jimmie Welch
John Welch
Karen and Dale Welch
Janet Westbrook
Charlotte Williams
James L. Williams
James S. Williams
Lacey Williams
Herschel Wilson
Jacqueline Woychesin
Paul Zylman

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 2**:

Justin Abbot
Roger Adams
Ruth Allen
Stephen Barfield
Johnny Beall
Karen Beall
Dorthy Bell
Jason Bellini
Kimberly Bellini
R. A. Benedict
Ralph Benedict II
Bonnie Braswell
Charles Buzbee
Marie Buzbee
Dennis Cartwright
Rosemary Cartwright
James Clanton
Floyd Collins
Tina Collins
Joshua Davis

Alberto Enriquez
Anneliese Enriquez
Belinda Faulkner
Lisa Ford
Terri Gandy
Sherry Glaze
Matt Glazewski
Glenda Godejohn
Maurice Godejohn
Steven Gothard
Mark Grimes
Martha Guilbeaux
Ronnie Guilbeaux
Kenny Hamby
Sheila Hardrick
Prescilla Harris
Deborah Heuermann
Amber Hunt
Jimmy Hunt
Seth Jones

Crystal Kelsoe
Eric Kelsoe
Ed Kirkland
Floralee Lovell
James Lovell
David Ludwig, Jr.
Charles Lyle
Mark Matheny
Bob McDaniel
Terri McDonald
Carl and Linda McLeod
Linda Middleton
Luis Nava
Albert Nelson
Shelia Nelson
Tara Olephant
Weda O'Neil
Linda Ott
Sylvia Padilla
Jack Potter
Lisa Reasor
Terry Rollins
Delores Roost
J. Sandles
David Sargent, Jr.

Stephanie Simmons
James Singleton
Ciara Smalling
Sherry Smalling
John and Leah Smith
Nikki Somplasky
George Standley
Linda Standley
Ricky Standley
Joseph Tanseu
David Tate
Rhonda Tate
Jason Turner
Ken Vandine
Shawn Wallace
Dan Wallaer
Cynthia Watford
Shawn Watford
James Watkins
Angela Welch
Dale Welch
Karen Welch
Michael Wilkinson
Esther Williams
Julianne Young

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 3**:

Rachel Amacloe
William Boles
Bonita Booth
Stephanie Brennan
Tom Brennan
Ernest and Marie Brown
Doug Cockerham
William Cockerham
Amy Colvin
Peggy Davis
Norma Gibson
Vernie Gibson
James Harden
Tommy Jensen
Dalva Keener
Stanley Lambery

Howard Launius
Everette Lawson
Barbara Mayeux
Barbara McLeane
Donald Myers
Mrs. Don Myers
Paul Simmons, Jr.
Brandi Thoede
Jessie Van Liew
Jim Vaught
Elanor van Tungeln
Jim van Tunglen
Craig Welch
Sandy Welch
Charlotte Williams

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 4**:

Richard Arnold
Eric Bettis
Kayla Finley
James Frank
Vivian Hickman
Tanya Hill
Chrispen Johnson
Norma Lord

Donald Myers
Clara Riggins
Larry Riggins
Carol Saxon
Marla Todd
Elanor von Tunglen
James von Tunglen
Mark Wiggins

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 5**:

Linda Collins
Tina Collins
Norma Gibson

Albert and Shelia Nelson
Billy Wagnon
Karen Welch

The following people submitted an identical hearing request to the TCEQ's Office of the Chief Clerk, and will be known as **Group 6**:

Daniel Heil

Jerri Heil

Three petitions requesting a Contested Case Hearing were received by the TCEQ's Office of the Chief Clerk on May 28, 2004. The first of the three petitions contains the names and addresses of the following persons, and will be known as **Petition 1**:

Roy W. Abramson
Misty Adams
Richard J. Adams, Jr.
Lewis Akin
April Allen
Jeff Allman
Melanie Antiller
Carlos Arreola
Raymond Atkinson
Richard Atkinson
Luis F. Azuara
Melinda Bacon
Jimmy Bagley
Clayton Bagwell
Avery Ballard
Cindy Jenkins Bayer
Dustin Beckham
Glenn Bell

Alicia Bentley
Corallyn Berger
Stephanie Bigs
James R. Bingham
Betty Blackman
Nicole Blake
Amy Blanton
Carrie Blanton
Taina Blanton
Magnolia C. Boehm
Wayne Boehm
Fran Bogert
Al Bolt
Kathie Boswell
Virginia Boswell
Joe Bowman
Stephen Boyles
David & Shari Bracewell

Deborah Briggs
Pat Brookshire
Dennis Brown
Dorothy M. Brown
Frieda Brown
Jack Brown
Lee Brown
Ken Burling
Mark Cadwallader
Robert E. Caldwell
David Campbell
Stephen Carle
David Carr
Tera Carrasco
Hayle Casey
R. Cash
Carol Castanon
Louis Castanon
Jenise & Phil Cemino
Brian Chaloupka
Darrell Chaloupka
Vallye W. Chandler
Jo Chapman
Ann Cheatham
Rickie Childers
Barbra Christiansen
Jason Christiansen
John Cisneros
Pat & Paul Clark
Billy & Myla Cobler
Charles & Doris Coburn
Christy Coburn
William Coburn
Becky Colebank
Carl Comstock
Connie Contreras
Thomas L. Cook
Scott Coshrey
Teresa Coshrey
James Couch
Doug & Tamara Couey
Bill Cruz
Jesus Cruz
Julie Culver
Elvis & Pat d'Agrella
Bruce Dailey

Karla Darden
Robert Darden
Ayha Darvey
David Lynn Dauzart
Terry Dauzart
Argelio De Leon
Esmeralda De Leon
Mabry Dellyer
David Dempsy
Gail & R. Dewey
Matt Dodd
Deborah K. Doran
Durwood Doss
Durwood Doss, II
L. V. Dowden
Amy Downs
James Doyal
Leroy Dudley
Tami Dudley
Gregg Dunn
L. E. Dunn, III
Mary Edwards
Wendy Ellis
Kenneth Essman
Karen Eudy
Phil Eudy
Shawna Everett
Barry Fantes
Tara Fay
Kenita Fendley
Cheryl Fincher
Bobby Finley
Brandon Ford
Matthew & Tanci Foster
Julia & Scott Frankenfield
Rex Fry
Jo Anne Galulman
Esteban Garcia
Juan Garcia
Stacey Garee
Gary & Jess Garner
F. P. George
Maureen M. Golden
Cara Jo Gonzalez
Kelly Gorrell
Betty Grantham

Randy Gross
Brittany Gullette
Ken Hacker
Denise Hall
Justin Hambrick
Debbie Hancock
Bruce Hansen
Mark Harrell
Harry Harris
Wynne Harris
Tracey Marie Harrison
Mary Hartt
Rhonda Harvey
Bryan Hayes
Tammy Haywood
Laurie & Ron Headings
Brenda & Trey Hearn
Joseph Hemby
Carol Hennessy
Kathy Hernandez
Tony Herrin
Lisa Hessler
Jamie Higgins
David Hinder
Beverly Hinds
J. L. Hodges
Clorinda Hogan
Dwayne & Pam Hood
Chanhe Horton
Claudia Hubbard
Jeff Hunter
Stacie Hunter
Theresa Hymil
Toni Inglet
Rusty Ireland
Don Johnson
Jolene Johnson
Marty & Rene Kay
Mart Keltch
Patty Keltch
Bryan Kelley
Morgan Kelley
Devan Kendrick
Sharon Kendrick
Vincent Scott Kendrick
Larry Kennedy

Kara Kern
Jennifer Kirk
Zachary C. Kirk
Jennifer Knight
Susan Koskoc
Ruby Krautkremer
John Kuke
Tracey Kurtz
Angela Kyle
Tamara Lambdin
Jim Lamendola
D. LaRouche
Kevin & Melanie Lawson
Librado Leal
Sherry LeBlanc
Anita Lee
Sandy Lehman
Bright & Michael LeMaster
Raymond Lewis
Mark Lichman
Charles Lightfoot
Jill Limbaugh
Phillip Lindsey
Patricia Little
John Long
George R. Longmore
Donald Loosier
Jim Luton
Stella Luton
Brandi Lyons
Susie & Thomas Machen
Susie Machen
Tommy Machen
Brenda Mackey
Mark Maddox
Sharon Maddox
Raileen Mangurn
Kenneth Manzella
Jennifer Martinez
Mark Matheny
Bobby & Patsy Matthews
Susan Matthews
Travis Mayeux
Matt McCleane
Wanda Laynette McCray
Pattie McGee

April McHenry
Michael McKay
Cindy & Phillip McKenzie
Ronny McKinnie
Stephane McMillan
Amy McMullen
Trey Meador
Matt Medford
Aida Medinilla
Albert Menard
Linda Menard
Josh Merimon
Diana Merrell
J. Miles
S. Miller
Kellie Montgomery
Cindy & Terry Moon
Tammy Moore
Robert Morgan
Bobby Morris
Ella May Morris
Michael Moris
Vickie Morse
William Mozingo
Alisa Murphy
Susan Murrell
Kevin Myers
Mark Nalty
Tiffany Neal
Albert Nelson
Shelia Nelson
Deborah Noble
George D. Noble
Paula Noble
Ranee Nolern
Dianne Nuget
Doris O'Dell
Dennis O'Malley
Mary O'Malley
Matt O'Malley
Marigrace O'Neil
Debbie Orsack
John & Pattie Ortega
Judith O'Toole
Melinda Parker
Michael W. Parker

Betty Parmer
George Parmer
Avery Patterson
Mariann Patterson
Melanie Perdue
William Petty, Jr.
Linda Phillips
Janie Piccis
Susan Pine
Darrel Pinksion
Eric Powell
Michelle Pule
William C. Quimm
Geraldo Ramirez
Diana Real
Robby Real
David Rendon
Link Reneau
Mary Rich
Ermajean Ritter
Judy Robertson
Scotty Robinson
Jim Rogganbock
Johnny Rothe
S. W. Rutherford
Cynthia Sam
Lamont Sam
David Sams
Brandon Sanders
Maruea Sangstear
Sparky A. Santana
Brenda Schank
Robert Scharee
Kenneth Schelsteder
Mr. & Mrs. Schulmire
Gordon Sealy
Jerri Sealy
Vinson Sealy
Judi Self
R. F. Shannon
Cyndi Simmons
Lee Simmons
Tracy Simonsen
John Small
Cassie Smith
Jerrie Smith

John & Leah Smith
Nikki Somplasky
Jan & Ron Stallworth
Linda Standley
Nick Steele
Bart Steen
Linda Stegenga
Analeisa Stern
Jeff Stern
Connie Stipanich
Bryan Stuart
Colette Talbert
George Tambourides
David Tate
Rhonda Tate
H. W. Taylor
Joyce Taylor
Claude A. Teal
Debra Teekamp
Floyd Temple
Debbie Thiel
Amy Thomas
Hailey Thomas
Michael Thomas
Pat Thomas
Tracie Thomas
Janice Thomason
Scott Thompson
Sheri Thompson
Jack S. Torrence
Marcia Townsend
Debra Trammel
H. Eugene Trammel
Josh Travesse
Ross Travesse
Ross Tuff
Stan Tully
Amanda Middel-Urby
Cabrilla Valdes
Dee Van
Barb & Dick Van Liew
Max Vickers

P. H. Bickey
Faustino D. Villarreal
Yvonne P. Villarreal
Jim von Tungeln
Ashlea Vyoral
Doug Vyoral
Rachel Walker
Tammy Walker
Bobby L. Walters
Debra Walters
Loni Walton
Danny & Donna Warner
Beckie Warren
Paula Warren
Shannon Warren
Sue Wayford
Donna Weaver
Randall Weaver
Jordan Wedgewood
Dale Welch
Karen Welch
Heath Wells
Jody Westra
Marie Whiddon
Judy Whitten
Joe K. Williams
David E. Wilson
Diane A. Wilson
Jacqueline Woychesin
Ricky Woychesin
Kristin Wright
Charles W. Yawn
Sercy Yawn
Banica Young
Bubba Young
Lila Young
Racheal Young
Ray Young
Richard Young
Karen Zeller
Paul Zylman
26 Concerned Citizens

The second of the three petitions contains the names and addresses of the following persons, and will be known as **Petition 2:**

Kathleen M. Adams
Richard J. Adams, Jr.
Wesley T. Adkins
Kathy Armstrong
Raymond Atkinson
Richard Atkinson
Rodney Atkinson
Luis Azuara
Judy Banks
Elizabeth Barbosa
Melissa & Rick Barton
Corallyn Berger
Magnolia & Wayne Boehm
Ernest & Marie Brown
Jenise & Phillip Cemino
Paul Clark
Floyd Collins
Linda Collins
Lee Compton
Doug & Tami Couey
Sam Croce
Diana Crowson
William Crowson
David & Karen Deschmer
Mark & Monica Direnna
Sonny Donaldson
Deborah K. Doran
Leroy Dudley
Jerry Evans
Richard W. Fendley
Barbara Gandy
Robert Gandy
Sidney Gaylord
Betty Gregg
Fred Gregg
Suzanne Hansen
Dewana & Jamie Higgins
Rusty Ireland
Eugene & Tina Jackson
George Johnson
Dorene Jones
Randy Kitchen
Librado Leal
Joe Leggett
Patti Little

Susie & Thomas Machen
Terry Mann
Bobby L., Jr., & Patsy Matthews
Betty & Louis McGuire
Jeff L. McKinney
Dennis McNabb
David C. McQueen
Destiny & Tom Miller
Arguimiro Molina
Bryan & Lisa Neal
Glyn O'Briant
Monica Ogilvie
Marigrace O'Neal
Trudilee O'Neal
Gladys Perez
Linda & Robert Phillips
Billy & Deborrah Pickering
Jessica & Larry Rancher
Danielle & Paul Reich
David Rendon
Agnes & Eddie Rogers
Alan Schuler
Gordon & Jerri Sealy
Melvin Sharpe
Brad & Michele Shrieve
Arlinda & Billy Smith
Cassie & James Smith
Leah Smith
Linda Smith
Donnie & Rebecca Sutton
Maxey Tharp
Barb Van Liew
Daniel Vargas
Candice Villarreal
Chris Walker
John & Vicki Warner
G. W. Wayman
Jimmy Weeks
Dale Welch
John Welch
Karen Welch
Clifford D. Welsh
Joe K. Williams
James Woodall

The third and final petition contains the names and addresses of the following persons, and will be known as **Petition 3**:

Juan and Leticia Aguilar	Roxanna Hudson
Daniel Barnett	Lee and Tina Leal
Sharon Barnett	William Maddox
Rogelio Baroenus	Amanda McShan
Samantha Baumgarten	Kenneth R. Meuth
Lety and Mike Bieniek	Kimberly Oneal
C. B. Boudreaux	Marvin Orsack
Rachel Bratcher	Brian Peterman
Janine Bryant	Lance Pigott, Jr.
Jon Buckholtz	Lupita Miles Pigott
Tracy Cadengo	Fay Pilkington
Billy Collier	Gregoria Ramirez
Jason Cowart	Raquel Ramirez
Pat Crowley	Tomas Ramirez
Mary Ann Daniels	Charles E. Richmond
Judy C. Dehart	Diana Richmond
J. R. De Leon	Earlene Santo
Marde De Leon	John & Leah Smith
Sunnie De Leon	Justin A. Theriot
Janice & Pat Ferrer	Keith A. Theriot
Rick Finery	Paul Vyoral
Homer Galicia	Johnny Walker
Rachel Giblin	Shannon Winton
Leah Gonzales	Michael Wolf
Jack Grant	Dalton Woolery
Frank Harris, Jr.	Patty Zarate
Maggie Harris	3 Concerned Citizens
J. O. Hudson	

The following people submitted hearing requests on behalf of **Citizens Against Montgomery Landfill (CAML)**:

Mary Carter	David Tate
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The following people submitted hearing requests on behalf of **Montgomery County, Texas**:

Hon. Ed Rinehart, Montgomery County Commissioner Pct. No. 4	The Hon. Alan B. Sadler, Montgomery County Judge
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The following people submitted individual hearing requests:

Willie Mae Atkinson	Denise Bell
---------------------	-------------

Karen Bradberry
Lennice Cargill, on behalf of
Keystone Natural Resources
Doug Crofton
Leon Cubillas
Jim Dawson
Rev. Duane Hamilton
Sandy Hamilton
Hon. Ruben Hope, Jr., State
Representative District 16
Judith Horne
Thornton Ireland
Devin Kaatz
Normane Kaatz
Ernest Kannak, Jr.
Mary Lou Kirves
Wayne Kocurer
Christine Ludwig
Susana Magaña
Nonnie Maffet
Ronald Maffet
Steven Matthews
Barbara Mayeux
Travis Mayeux
Barbara McLeane
Carol Parten
R. M. Palmer, on behalf of
International Paper, Realty

Division (International
Paper)
Greg Poole
Lawrence and Carolyn Sue Rains
Louis Reiszner
Carla Robles
Pedro Rosales, Jr.
Lynda and Bob Sasser
Anita Severa
Melvin Sharpe
Cassie Smith
John Smith
Leah Smith
Robert Smith
Linda Standley
David Stegenga
Linda Stegenga
Nancy Steward
Thomas Steward
John Tate
Rhonda Tate
Debra Teekamp
Daniel Vargas
Dino Villareal
James Walkinshaw
Karen Welch
Sabrina Westerfeld
Charlotte Williams
Paul Zylman

The following people submitted requests for reconsideration to the TCEQ's Office of the Chief Clerk:

Deborah Doran
Thornton Ireland

Barbara Mayeux
Linda Standley

II. Description of the Facility

The Applicant has applied to the TCEQ for a new permit that would authorize the construction and operation of a new Type IV municipal solid waste landfill in Montgomery County, Texas. The proposed landfill would primarily serve the construction and demolition needs of Montgomery County, but may also serve the surrounding counties. The total permitted facility will include 473.0 acres of land of which approximately 207.1 acres will be used for waste disposal. The final elevation of the waste fill and soil cover material will be 408.29 feet above mean sea level. The waste acceptance rate is expected to average approximately 3,000 tons per day.

If the Commission issues the draft permit, the site will be authorized to accept municipal solid waste resulting from, or incidental to, construction, demolition and grounds keeping activities, including brush, construction and demolition waste, rubbish, inert material, man-made inert material, trash, yard waste that is free from putrescible and household waste, scrap tires that have been slit and quartered or shredded, but not from a tire disposer or recycler that is reimbursed from the State Waste Tire Recycling Fund, and other waste as approved on a case-by-case basis by the Executive Director. The site is not able to accept those waste streams that are expressly prohibited by 30 TAC Chapter 330, including but not limited to hazardous waste, Class 1 non-hazardous industrial waste, Class 2 non-hazardous industrial waste, Class 3 non-hazardous industrial waste, regulated radioactive waste, waste containing regulated polychlorinated biphenyls, putrescible waste, household waste, liquid waste, water and wastewater treatment sludge, grease or grit trap wastes, special wastes, and waste material that may cause odor or nuisance or that may require excessive or special on-site procedures and handling requirements.

If the Commission issues the draft permit, the facility will be located at 3761 North Walker Road, approximately 1.4 miles north of the intersection of North Walker Road and SH 105, abutting the west side of North Walker Road. The location is outside any city limits. The land within one mile of the proposed facility is 60% undeveloped or agricultural, 39% residential with some agricultural use, and 1% industrial. The structures that are within one mile of the facility are primarily homes and some structures incidental to agricultural uses. There are approximately 780 people that reside within one mile of the proposed facility, with nine structures and habitable buildings within 500 feet of the permit boundary. The nearest structure is approximately 75 feet east of the permit boundary and about 1,150 feet east of the waste cell.

III. Procedural Background

The application was received on March 17, 2004, and declared administratively complete on April 4, 2004. Notice of Receipt of Application and Intent to Obtain a Municipal Solid Waste Permit (NORI) was published on April 21, 2004 in the *Conroe Courier*. Notice of Public Meeting was published on July 19, 26, and August 2, 2004 in the *Conroe Courier*, and a public meeting was held in Conroe, Texas on August 9, 2004. The Executive Director completed the technical review of the application on October 21, 2004, and prepared a draft permit. Notice of Application and Preliminary Decision for a Municipal Solid Waste Permit (NAPD) was published on November 25, 2004. Notice of Public Meeting was published on February 17, 24, and March 3, 2005 in the *Conroe Courier* and the *Houston Chronicle*, and a second public meeting was held in Conroe, Texas on March 10, 2005. The Executive Director prepared his original Response to Public Comment, and filed it with the TCEQ's Office of the Chief Clerk on July 6, 2006. In July of 2006, the Applicant asked the TCEQ to suspend its processing of the application while amendments to the application and facility layout were considered.

On November 10, 2006, the Executive Director received an amended application for review. The Executive Director completed the technical review of the amended application on September 7, 2007, and a second NAPD was published on December 21, 2007 in English in the *Conroe Courier* and *Houston Chronicle*, and in the Spanish language newspaper of general circulation in Montgomery County, *El Sol*. Notice of Public Meeting was published on March 20, 27, and April 3, 2008 in the *Conroe Courier* and the *Houston Chronicle*, and a third public meeting was held on April 10, 2008 in Conroe, Texas. The comment period for this application closed on April 11, 2008. In response to traffic concerns raised during the public comment period, the Applicant submitted additional changes to the amended application on August 21, 2008 revising the entry path to the proposed facility. This design change required additional technical review. The Executive Director prepared his First Amended Response to Public Comment, and filed it with the TCEQ's Office of the Chief Clerk on February 13, 2009. The Executive Director's Final Decision Letter was mailed February 26, 2009, and the period for timely filing a Request for Reconsideration or Contested Case Hearing Request ended on March 30, 2009. The review of this permit application has gone well beyond the typical time frame allotted due to the extension of the public comment period to allow for additional public meetings, the submission and subsequent technical review of the amended permit application, additional technical review after the submission of modifications to the amended application, and responding to extensive public comment. This application was administratively complete on or after September 1, 1999; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801 (76th Legislature, 1999).

IV. Access to Rules, Laws, and Records

The Commission's current rules may be accessed online by using the Texas Administrative Code (TAC) viewer feature on the Texas Secretary of State website at: www.sos.state.tx.us (Select "State Rules & Open Meetings," then "Texas Administrative Code," and then "TAC Viewer").

30 TAC Chapter 330, Municipal Solid Waste, was amended by the TCEQ, effective March 27, 2006.¹ Since the application was declared administratively complete on April 4, 2004, it was reviewed in accordance with 30 TAC Chapter 330 prior to the 2006 amendments. The archived rules are available through the TCEQ's website at www.tceq.state.tx.us (Select "Rules," then "Municipal Solid Waste Chapter 330 Rules prior to March 27, 2006")

Texas statutes may be accessed through the Texas Legislative Council's website at: <http://www.tlc.state.tx.us> (Select "Internet Resources," then "Texas Statutes").

General information about the TCEQ can be found at our website at: www.tceq.state.tx.us (For downloadable rules in Adobe PDF format, select "Rules," then "Current TCEQ Rules," then "Download TCEQ Rules")

¹ See 31 Tex. Reg. 2502 (March 24, 2006).

Federal statutes and regulations may be accessed through the Environmental Protection Agency (EPA) website at: www.epa.gov (Select "Laws & Regulations").

Commission records for this facility are currently available for review and copying during regular business hours at the TCEQ's Office of the Chief Clerk, Building F, 12100 Park 35 Circle, Austin, TX. 78753. A copy of the amended application and draft permit are currently available for review and copying at the Montgomery County Library in Conroe, Texas; and will remain there until either the TCEQ acts on the application, or the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.

V. The Evaluation Process for Hearing Requests

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings. For those applications declared administratively complete on or after September 1, 1999, it established new procedures for providing public notice and public comment, and for the Commission's consideration of hearing requests. The applications were declared administratively complete on September 18, 2007; therefore, they are subject to House Bill 801 requirements. The Commission implemented House Bill 801 by adopting procedural rules in 30 Texas Administrative Code (30 TAC) Chapters 39, 50, and 55.

A. Response to Request

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to a hearing request. 30 TAC § 55.209(d).

Responses to hearing requests must specifically address:

- 1) whether the requestor is an affected person;
- 2) whether issues raised in the hearing request are disputed;
- 3) whether the dispute involves questions of fact or of law;
- 4) whether the issues were raised during the public comment period;
- 5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's Response to Comment;
- 6) whether the issues are relevant and material to the decision on the application; and
- 7) a maximum expected duration for the contested case hearing.

30 TAC § 55.209(e).

B. Hearing Request Requirements

In order for the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements.

“A request for a contested case hearing by an affected person must be in writing, must be filed with the chief clerk within the time provided...and may not be based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director’s Response to Comment.”

30 TAC § 55.201(c).

A hearing request must substantially comply with the following:

- 1) give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and, where possible fax number, who shall be responsible for receiving all official communications and documents for the group;
- 2) identify the person’s personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor’s location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a matter not common to members of the general public;
- 3) request a contested case hearing;
- 4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission’s determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the executive director’s response to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law or policy; and
- 5) provide any other information specified in the public notice of application.

30 TAC § 55.201(d).

C. “Affected Person” Status

In order to grant a contested case hearing, the Commission must determine that a requestor is an “affected person.” Section 55.203 sets out who may be considered an affected person.

- a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.

- b) Governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.
- c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
 - 1) whether the interest claimed is one protected by the law under which the application will be considered;
 - 2) distance restrictions or other limitations imposed by law on the affected interest;
 - 3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
 - 4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
 - 5) likely impact of the regulated activity on the use of the impacted natural resource by the person; and
 - 6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TAC § 55.203.

D. Additional Requirements if Requestor is a Group or Association

A group or association may request a contested case hearing only if the group or association meets all of the following requirements:

- 1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
- 2) the interests the group or association seeks to protect are germane to the organization's purpose; and
- 3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.

30 TAC § 55.205.

E. Referral to the State Office of Administrative Hearings (SOAH)

When the Commission grants a request for a contested case hearing, they are required to issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing. 30 TAC § 50.115(b). Subsection 50.115(c) of 30 TAC sets out the test for determining whether an issue may be referred to SOAH. "The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue: 1) involves a disputed question of fact; 2) was raised during the public comment period; and 3) is relevant and material to the decision on the application." 30 TAC § 50.115(c).

VI. Analysis of the Requests

A. Analysis of the Hearing Requests

The Executive Director has analyzed the hearing requests to determine whether they comply with Commission rules, who qualifies as an affected person, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

1. Whether the Requestors Complied with 30 TAC § 55.201

a) Group 1

The deadline for filing a Contested Case Hearing Request regarding this application was March 30, 2009. With the exception of the hearing request filed by Mr. Frank Fanning, all of Group 1's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. Mr. Fanning's hearing request was filed with the TCEQ's Office of the Chief Clerk on April 2, 2009 at 2:45 p.m. As such, his request is untimely and does not substantially comply with the requirements set forth in 30 TAC § 55.201(c). With the exception of the hearing request filed by Concerned Citizen #1, each of Group 1's hearing requests provided the requestor's name and address, identified their personal justiciable interest affected by the application, contained an explanation of the requestor's location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period. The hearing request filed by Concerned Citizen #1 failed to provide the requestor's name, and therefore does not substantially comply with 50.201(d)(1).

The Executive Director recommends that the Commission find that Frank Fanning's hearing request does not comply with 30 TAC § 55.201(c). The Executive Director also recommends that the Commission find that Concerned Citizen #1's hearing request does not substantially comply with 30 TAC § 55.201(d)(1). Finally, the Executive Director recommends that the Commission find that Group 1's remaining hearing requests substantially complied with the requirements of 30 TAC §§ 55.201(c) and (d).

b.) Group 2

All of Group 2's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. Each of Group 2's hearing requests provided the requestors' names and addresses, identified their personal justiciable interest affected by the application, contained an explanation of the requestors' location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Group 2's hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

c.) Group 3

All of Group 3's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. With the exception of the hearing requests filed by Helen Barge, William Cockerham and Everette Lawson, all of Group 3's hearing requests provided the requestors' names and addresses, identified their personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period. Ms. Barge, Mr. Cockerham and Mr. Lawson provided P.O. Box numbers in lieu of their physical address or any description of their location and distance relative to the proposed facility.

The Executive Director recommends that the Commission find that Helen Barge, William Cockerham, and Everette Lawson's hearing requests do not substantially comply with 30 TAC § 55.201(d)(2). The Executive Director recommends that the Commission find that Group 3's remaining hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

d.) Group 4

All of Group 4's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. All of Group 4's hearing requests provided the requestors' names and addresses, identified their personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Group 4's hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

e.) Group 5

All of Group 5's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. All of Group 5's hearing requests provided the requestors' names and addresses, identified their personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Group 5's hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

f.) Group 6

Both of Group 6's written hearing requests were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. Both of Group 6's hearing requests provided the requestors' names and addresses, identified their personal justiciable interest affected by the application, contained an explanation of the requestors' location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Group 6's hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

g.) Petitions 1, 2, and 3

Petitions 1, 2, and 3 were filed with the TCEQ's Office of the Chief Clerk before the March 30, 2009 deadline to request a Contested Case Hearing, and were not based on issues raised during the public comment period that had been withdrawn prior to the filing of the Executive Director's RTC. However, Petitions 1, 2, and 3 failed to identify individual requestors' personal justiciable interest affected by the application or why each requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public.

The Executive Director recommends that the Commission find that Petitions 1, 2, and 3 failed to substantially comply with the requirements of 30 TAC § 55.201(d)(2).

h.) Citizens Against Montgomery Landfill (CAML)

Mary Carter, of Blackburn & Carter, P.C., filed four separate timely hearing requests with the TCEQ's Office of the Chief Clerk; one on behalf of CAML, Inc. and three on behalf of CAML (the same group or association which continued to operate after the dissolution of the corporation). David Tate, President of CAML, Inc., also filed two timely hearing requests with the TCEQ's Office of the Chief Clerk; one on behalf of CAML, Inc and one on behalf of CAML. CAML's hearing requests provided the requestors' names and addresses, identified one person responsible for receiving all official communications and documents for the group, contained an explanation of certain members' location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that CAML's hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

i.) Montgomery County, Texas

The Hon. Ed Rinehart, Montgomery County Commissioner Pct. No. 4, filed two timely hearing requests on behalf of Montgomery County. The Hon. Alan B. Sadler, Montgomery County Judge, filed three timely hearing requests on behalf of Montgomery County. The hearing requests filed provided the requestors' names and addresses, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Montgomery County, Texas substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

j.) Individual Requestors

1. Willie Mae Atkinson

Ms. Atkinson's timely filed written hearing request raised general concerns regarding traffic, water quality, and road conditions. Ms. Atkinson failed to identify her personal justiciable interest affected by the application, or how she would be adversely affected by the proposed facility or activity in a manner not common to the general public.

The Executive Director recommends that the Commission find that Willie Mae Atkinson's individual hearing request fails to substantially comply with 30 TAC § 55.201(d)(2). If additional information demonstrating that Ms. Atkinson has a personal justiciable interest affected by the application is timely furnished, the Executive Director may reconsider his recommendation.

2. Denise Bell

Ms. Bell's timely filed written hearing request raised the issues of air quality, traffic, flooding, groundwater protection, and potential future expansions of the proposed facility. The issue of future expansions was raised and addressed in Response Number 10 of the Executive Director's First Amended RTC. TCEQ rules allow a permittee to expand a landfill through the permit amendment process. *See* 30 TAC § 305.62. This issue is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Bell's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Denise Bell's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

3. Karen Bradberry

Ms. Bradberry's timely filed written hearing request raised the issues of groundwater quality and traffic. Ms. Bradberry's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Ken Bradberry's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

4. Lennice Cargill, on behalf of Keystone Natural Resources

Ms. Cargill's timely filed written hearing request deals solely with the mineral rights at the four corners of the property where the facility is to be located. The issue of mineral rights was raised and addressed in Response Number 38 of the Executive Director's First Amended RTC. The TCEQ does not have jurisdiction from the legislature to regulate mineral rights. As such, the issue of mineral rights is not relevant and material to the TCEQ's decision on this permit application.

The Executive Director recommends that the Commission find that Lennice Cargill's individual hearing request fails to substantially comply with the requirements of 30 TAC § 55.201(d)(4).

5. Doug Crofton

Mr. Crofton's timely filed written hearing request raised the issues of potential adverse impacts on property values and the monitoring of incoming waste. The issue of adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. However, with respect to the issue of the monitoring of incoming waste, Mr. Crofton's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Doug Crofton's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

6. Leon Cubillas

Mr. Cubillas' timely filed written hearing request raised the issues of traffic and land use compatibility. Based on the content of his request, it does not appear that Mr. Cubillas is requesting a hearing on behalf of either Splendora Independent School District or East Montgomery County Improvement District. Mr. Cubillas failed to identify his personal justiciable interest affected by the application, or how he would be adversely affected by the proposed facility or activity in a manner not common to the general public.

The Executive Director recommends that the Commission find that Leon Cubillas' individual hearing request fails to substantially comply with 30 TAC § 55.201(d)(2). If additional information demonstrating that Mr. Cubillas has a personal justiciable interest affected by the application is timely furnished, the Executive Director may reconsider his recommendation.

7. Jim Dawson

Mr. Dawson's timely filed written hearing request raised the issues of traffic, opposition from state and local government officials, and wetlands protection. Mr. Dawson's request also asks that "the TCEQ Executive Director request a direct referral for a contested case hearing." The Executive Director has declined to direct refer this matter. The issue of opposition from state and local government officials was raised and addressed in Response Number 4 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Dawson's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Jim Dawson's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

8. Rev. Duane Hamilton

Rev. Hamilton's timely filed written hearing request raised the issues of groundwater protection, traffic, flooding, and land use compatibility. Rev. Hamilton's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Rev. Duane Hamilton's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

9. Sandy Hamilton

Ms. Hamilton's timely filed written hearing request raised the issues of air quality, water quality, adverse impacts on property values, and traffic. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Hamilton's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Sandy Hamilton's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

10. Hon. Ruben Hope, Jr., State Representative District 16

Representative Hope's timely filed written hearing request raised concerns about drainage, flooding, groundwater quality, and traffic. The Executive Director assumes that Representative Hope has requested a contested case hearing on behalf of his constituents. The Executive Director recommends that the Commissioners refer this matter to SOAH for a Contested Case Hearing. However, if Representative Hope seeks to participate in this matter individually, his hearing request was on fails to identify his personal justiciable interest affected by the application, or how he would be adversely affected by the proposed facility or activity in a manner not common to the general public.

The Executive Director recommends that the Commission find that Representative Hope's individual hearing request fails to substantially comply with 30 TAC § 55.201(d)(2). If additional information demonstrating that Representative Hope has a personal justiciable interest affected by the application is timely furnished, the Executive Director may reconsider his recommendation.

11: Judith Horne

Ms. Horne's timely filed written hearing request raised the issues of water quality, adverse impact on property values, and the adequacy of the August 9, 2004 public meeting. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Horne's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Judith Horne's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

12. Thornton Ireland

Mr. Ireland's timely filed written hearing request raised the issues of dust control, groundwater protection, and traffic. Mr. Ireland's hearing request included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Thornton Ireland's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

13. Devin Kaatz

Mr. Kaatz's timely filed written hearing request deals solely with landfill clustering. This issue was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. As such, the issue of landfill clustering is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission find that Devin Kaatz's individual hearing request fails to substantially comply with the requirements of 30 TAC § 55.201(d)(4).

14. Normane Kaatz

Ms. Kaatz's timely filed written hearing request raised general concerns regarding the location of the landfill. Ms. Kaatz failed to identify her personal justiciable interest affected by the application, or how she would be adversely affected by the proposed facility or activity in a manner not common to the general public.

The Executive Director recommends that the Commission find that Normane Kaatz's individual hearing request fails to substantially comply with 30 TAC § 55.201(d)(2). If additional information demonstrating that Ms. Kaatz has a personal justiciable interest affected by the application is timely furnished, the Executive Director may reconsider his recommendation.

15. Ernest Kannak, Jr.

Mr. Kannak's timely filed written hearing request raised the issues of whether the application accurately depicts the floodplain, odor, and financial assurance. Mr. Kannak's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Ernest Kannak, Jr.'s individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

16. Mary Lou Kirves

Ms. Kirves' timely filed written hearing request raised the issues of potential adverse impacts on property values, groundwater quality, and traffic. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Kirves' hearing request included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her property's location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Mary Lou Kirves' individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

17. Wayne Kocurer

Mr. Kocurer's timely filed written hearing request raised the issues of groundwater protection, odor, flooding, traffic, and future amendments to the permit. The issue of future amendments to the permit was raised and addressed in Response Number 10 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Kocurer's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Wayne Kocurer's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

18. Christine Ludwig

Ms. Ludwig's timely filed written hearing request raised the issues of flooding, groundwater protection, and traffic. Ms. Ludwig's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Christine Ludwig's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

19. Susana Magaña

Ms. Magaña's hearing request expressed her general opposition to the proposed facility, and did not list any relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Susana Magaña's hearing request failed to substantially comply with the requirements of 30 TAC § 55.201(d)(4).

20. Nonnie Maffet

Ms. Maffet's timely filed written hearing request raised the issues of air quality, water quality, potential adverse impacts to property values, traffic, and an alternative site location for the proposed facility. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. The issue of an alternative location for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Maffet's hearing request included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Nonnie Maffet's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

21. Ronald Maffet

Mr. Maffet's timely filed written hearing request raised the issues of air quality, water quality, potential adverse impacts to property values, traffic, and an alternative site location for the proposed facility. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's

First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. The issue of an alternative location for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Maffet's hearing request included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Ronald Maffet's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

22. Steven Matthews

Mr. Matthews' timely filed written hearing request raised the issues of traffic and an alternative site location for the proposed facility. The issue of an alternative location for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Matthews' hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Steven Matthews' individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

23. Barbara Mayeux

Ms. Mayeux's timely filed written hearing request raised the issues of an alternative site location for the proposed facility, groundwater protection, and traffic. The issue of an alternative location for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Mayeux's hearing request included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Barbara Mayeux's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

24. Travis Mayeux

Mr. Mayeux's timely filed written hearing request raised the issues of groundwater protection, traffic, and flooding. Mr. Mayeux's hearing request included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Travis Mayeux's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

25. Barbara McLeane

Ms. McLeane's timely filed written hearing request raised the issues of groundwater protection and traffic. Ms. McLeane's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Barbara McCleane's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

26. Carol Parten

Ms. Parten's timely filed written hearing request raised the issues of air quality and groundwater protection. Ms. Parten's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Carol Parten's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

27. R. M. Palmer, on behalf of International Paper, Realty Division (International Paper)

Mr. Palmer's timely filed written hearing requests raised the issues of financial assurance, potential adverse impacts on property values, traffic, future permit amendments, and water quality. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this

permit application. The issue of future amendments to the permit was raised and addressed in Response Number 10 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to traffic, Mr. Palmer's hearing requests included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance relative to the proposed facility, requested a contested case hearing, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that International Paper's individual hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

28. Greg Poole

Mr. Poole's timely filed written hearing requests raised the issue of the adequacy of the August 9, 2004 public meeting. Mr. Poole's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Greg Poole's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

29. Lawrence and Carolyn Sue Rains

Mr. and Mrs. Rains timely filed written hearing request raised the issues of flooding and traffic. Mr. and Mrs. Rains' hearing request included their names and address, identified their personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Lawrence and Carolyn Sue Rains' individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

30. Louis Reiszner

Mr. Reiszner's timely filed written hearing request raised the issue of the adequacy of the August 9, 2004 public meeting. Mr. Reiszner's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Louis Reiszner's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

31. Carla Robles

Ms. Robles' timely filed written hearing request raised the issues of flooding, air quality, fire protection, and wildlife and migratory bird protection. Ms. Robles' hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Carla Robles' individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

32. Pedro Rosales, Jr.

Mr. Rosales' timely filed written hearing request raised the issues of water quality, air quality, the maintenance of site access roads, and traffic. Mr. Rosales' hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Pedro Rosales, Jr.'s individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

33. Lynda and Bob Sasser

Mr. and Mrs. Sasser's timely filed written hearing request raised the issues of traffic, air quality, and water quality. Mr. and Mrs. Sasser's hearing request included their names and address, identified their personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Lynda and Bob Sasser's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

34. Anita Severa

Mr. Severa's timely filed written hearing request raised the issues of the monitoring of incoming waste, traffic, water quality, illegal dumping, and flooding. Ms. Severa's hearing request included her name and address, her personal justiciable interest

affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Anita Severa's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

35. Melvin Sharpe

Mr. Sharpe's timely filed written hearing request raised the issue of flooding. Mr. Sharpe's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Melvin Sharpe's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

36. Cassie Smith

Ms. Smith's timely filed written hearing request raised the issues of flooding, water quality, traffic, and potential adverse impacts on property values. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Smith's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Cassie Smith's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

37. John Smith

John Smith's timely filed written hearing request raised the issue of traffic. Mr. Smith's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed a relevant and material issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that John Smith's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

38. Leah Smith

Leah Smith's timely filed written hearing requests raised the issues of groundwater protection, control of contaminated water, flooding, mineral rights, and traffic. The issue of mineral rights was raised and addressed in Response Number 38 of the Executive Director's First Amended RTC. The TCEQ does not have jurisdiction from the legislature to regulate mineral rights. As such, the issue of mineral rights is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Smith's hearing request included her name and address, identified her personal justiciable interest affected by the application, requested a contested case hearing, and listed a relevant and material issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Leah Smith's individual hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

39. Robert Smith

Mr. Smith's timely filed written hearing request raised the issue of traffic. Mr. Smith's hearing request included his name and address, identified his personal justiciable interest affected by the application, requested a contested case hearing, and listed a relevant and material issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Robert Smith's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

40. Linda Standley

Ms. Standley's timely filed written hearing request raised the issues of future amendments to the permit, traffic, flooding, groundwater protection, odor, air quality, maintenance of site access roads, vector control, and whether the Application properly identifies the 100-year floodplain. The issue of future amendments to the permit was raised and addressed in Response Number 10 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Standley's hearing request included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Linda Standley's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

41. David Stegenga

Mr. Stegenga's timely filed written hearing requests raised the issues of air quality, groundwater protection, the adequacy of the proposed groundwater monitoring system, flooding, wetlands, control of contaminated water, adequacy of the August 9, 2004 public meeting, water quality, whether the Application properly identifies the 100-year floodplain, whether the Applicant provided the information regarding property ownership and its legal status, the competency of the Applicant to own and operate the proposed facility, and financial assurance. Mr. Stegenga's hearing requests included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance relative to the proposed facility, requested a contested case hearing, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that David Stegenga's individual hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

42. Linda Stegenga

Ms. Stegenga's timely filed written hearing requests raised the issues of opposition from state government officials, whether the Applicant properly coordinated with Texas Department of Transportation (TXDOT), the monitoring of incoming waste, groundwater quality, air quality, traffic, flooding, control of contaminated water, land use compatibility, potential adverse impacts to wildlife including migratory birds and their habitat, whether the proposed facility is necessary to satisfy a need for waste disposal, soil contamination, potential adverse impacts on property values, and the adequacy of two of the public meetings held. The issue of opposition from state government officials was raised and addressed in Response Number 4 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. The issue of need for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. This issue is not relevant and material to TCEQ's decision on this permit application. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Stegenga's hearing requests included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her location and distance relative to the proposed facility, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Linda Stegenga's individual hearing requests substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

43. Nancy Steward

Ms. Steward's timely filed written hearing request raised the issues of groundwater protection, traffic, potential adverse impacts on property values, and flooding. The issue of potential adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Steward's hearing request included her name and address, identified her personal justiciable interest affected by the application, contained an explanation of her location and distance from the proposed facility, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Nancy Steward's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

44. Thomas Steward

Mr. Steward's timely filed written hearing request raised the issues of flooding, control of contaminated water, wildlife protection, water quality, traffic, and the monitoring of incoming waste. Mr. Steward's hearing request included his name and address, identified his personal justiciable interest affected by the application, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Thomas Steward's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

45. John Tate

Mr. Tate's timely filed written hearing request raised this issue of traffic. Mr. Tate's hearing request included his name and address, identified his personal justiciable interest affected by the application, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that John Tate's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

46. Rhonda Tate

Ms. Tate's timely filed written hearing request raised the issue of the adequacy of the August 9, 2004 public meeting. Ms. Tate's hearing request included her name and address, identified her personal justiciable interest affected by the application, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Rhonda Tate's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

47. Debra Teekamp

Ms. Teekamp's timely filed written hearing request raised the issue of the adequacy of the August 9, 2004 public meeting. Ms. Teekamp's hearing request included her name and address, identified her personal justiciable interest affected by the application, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Debra Teekamp's individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

48. Daniel Vargas

Mr. Vargas' timely filed written hearing request raised the issues of traffic, groundwater protection, and the maintenance of site access roads. Mr. Vargas' hearing request included his name and address, identified his personal justiciable interest affected by the application, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Daniel Vargas' individual hearing request substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

49. Dino Villareal

Mr. Villareal's timely filed written hearing request raised the issue of whether the proposed facility is necessary to satisfy Montgomery County's waste disposal needs. The issue of need for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission find that Dino Villareal's individual hearing request fails to substantially comply with 30 TAC § 55.201(d)(4).

50. James Walkinshaw

Mr. Walkinshaw's timely filed written hearing request raised the issues of whether the proposed facility is necessary to satisfy Montgomery County's waste disposal needs, traffic, air quality, and water quality. The issue of need for the proposed facility was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. This issue is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Walkinshaw's hearing request included his name and address, identified his personal justiciable interest affected by the application, contained an explanation of his location and distance from the proposed facility, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that James Walkinshaw's individual hearing request substantially complies with the requirements of 30 TAC § 55.201(c) and (d).

51. Karen Welch

Ms. Welch's timely filed written hearing request raised the issues of traffic, water quality, flooding, and future amendments to the permit. The issue of future amendments to the permit was raised and addressed in Response Number 10 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Welch's hearing request included her name and address, identified her personal justiciable interest affected by the application, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Karen Welch's individual hearing request substantially complies with the requirements of 30 TAC § 55.201(c) and (d).

52. Sabrina Westerfeld

Ms. Westerfeld's timely filed written hearing request raised the issues of wetlands protection, flooding, traffic, and potential adverse impacts on property values. The issue of adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Ms. Westerfeld's hearing request included her name and address, identified her personal justiciable interest affected by the application, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that Sabrina Westerfeld's individual hearing request substantially complies with the requirements of 30 TAC § 55.201(c) and (d).

53. Charlotte Williams

Ms. Williams' timely filed hearing request raised the issue of traffic. Ms. Williams' hearing request included his name and address, identified his personal justiciable interest affected by the application, and listed a relevant and material disputed issue of fact that was raised during the comment period.

The Executive Director recommends that the Commission find that Charlotte Williams' individual hearing request substantially complies with the requirements of 30 TAC § 55.201(c) and (d).

54. Paul Zylman

Mr. Zylman's timely filed written hearing request raised the issues of potential adverse impacts on property values, noise, groundwater quality, air quality, traffic, and land use compatibility. The issue of adverse impacts on property values was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC, and is not relevant and material to TCEQ's decision on this permit application. The issue of noise was raised and address in Response Number 21. The TCEQ does not have specific rules addressing noise at MSW facilities. This issue is not relevant and material to TCEQ's decision on this permit application. With respect to the remaining issues, Mr. Zylman's hearing request included his name and address, identified his personal justiciable interest affected by the application, and listed relevant and material disputed issues of fact that were raised during the comment period.

The Executive Director recommends that the Commission find that the Paul Zylman's individual hearing request substantially complies with the requirements of 30 TAC § 55.201(c) and (d).

2. Whether the Requestors are Affected Persons

Neither the applicable statutes nor the MSW rules impose a distance restriction or limitation on a hearing requestor's affected interest. However, the Executive Director has determined that it is unlikely that the operation of the proposed Type IV MSW facility will adversely impact the health, safety, or property use of those requestor's whose property is located more than one mile from the proposed facility. This determination is consistent with the MSW rules, which require an applicant to provide maps, aerial photography, land use compatibility information, and traffic information within one mile of the proposed facility. *See* 30 TAC § 330.61.

a.) Group 1:

The Executive Director recommends that the Commission find that Heather Adams, Lori Adams, Rodney Adkinson, Lewis Akin, Emileen Atkinson, Richard Atkinson, Willie Mae Atkinson, Martha Barr, Jason Bellini, Kimberly Bellini, Betty Blackman, Terry Blackman, Violet Blackman, W. L. Blackman, Ann Blackmer, Robert Blackmer, Barry Brannon, Sherry Brannon, Courtney Brennan, Charles Buzbee, Marie Buzbee, James Crandle, David Deschner, Skipper Fountain, Steven Geisman, Melinda Hall, Sandy Hamilton, Steve Hamilton, Laurie Headings, Sonja Henry, Bobbie Irwin, Laura Jones, Ross Jones, Lorena Jungst, John Kenny, Charles Wade Lyle, Don McCaslin, Maggie McCaslin, Meaghan McCaslin, Tricia McCaslin, Barbara McLeane, Esmeralda McLeane, Matt McLeane, Ned McLeane, Tommy Miller, Jr., Rhonda Nash, David Neal, Debbie Neal, Casey Neely, Judith O'Toole, John Overall, Kelly Radmanovich, Milorad Radmanovich, Lawrence and Carolyn Sue Rains, Patricia Ream, Robert Ream, Maria Ronberg, R. Allen Selph, R. T. Selph, Frances Sheppard, Sfc. James Singleton, Richard Smith, Herbert Somplasky, Nikki Somplasky, Kathryn Spore, Linda Standley, Nancy Steward, Thomas Steward, Bennett Stone, Gordon Trott, Kimberly Trott, Jason Turner, Sandra Turner, Margaret Wagner, James Walkinshaw, Jr., James Watkins, Jr., Cliff Welch, Jim Welch, John Welch, Dale and Karen Welch, Charlotte Williams, James L. Williams, James S. Williams, Lacy Williams, Herschel Wilson, Jacqueline Woychesin, and Paul Zylman, all of whom live or own property within one mile of the proposed facility, are affected persons under 30 TAC § 55.203.

The following requestors live or own property that is located farther than one mile from the proposed facility based upon information provided in their hearing request:

<u>Requestor</u>	<u>Distance from the Proposed Facility</u>
Amy Ashby	1 and 1/4 miles
Kevin Ashby	1 and 1/4 miles
Ebbie Bailey	2 miles
Deborah Bell	4 miles
Rosalie Bianco	1 and 1/2 mile
Kenneth Bishoff	Less than 2 miles
Lea Ann Bishoff	Less than 2 miles
Karen and Tim Bradberry	1.3 miles
Tila Brooks	Within 9 miles
Laura Champagne	Within 1 and 1/2 miles
Gary Chunn	Within 7,000 feet (5,280 feet in 1 mile)
Penny Chunn	Within 7,000 feet (5,280 feet in 1 mile)
Larry Wayne Collins	Within 3 miles
Concerned Citizen # 1	Approximately 3 miles
William Winwright Cribbs	Within 1 and 1/2 miles
Troy Deaton	11 miles
Frank Fanning	Within 2 miles
Stephanie Ford	2 miles
Vanda Ford	2 miles

Judith Gray	1 and 1/2 miles
Beverly Hammett	1 and 3/4 miles
Jerry Hammett	1 and 3/4 miles
Linda Hampton	1 and 1/2 miles
Kathleen Harrison	4 miles
Dallas Hiatt	2 and 1/2 miles
Barbara Huddleston	2 miles
Timothy Huston	1 and 1/2 miles
Stanley Johnson	1 and 1/2 miles
Marylin Kinney	2 and 1/2 miles
Henry Knight	Within 2 miles
Sharon Labian	Within 2 miles
Francine Lafield	6 miles
Brice Leverett	10 miles
Edward Lichnerowicz	Within 2 miles
David Louder	6 miles
Christine Ludwig	1.7 miles
David Ludwig	1.7 miles
Jose Marquez	1 and 1/2 miles
Robert Martin	1 and 1/4 miles
James and Lori Mattox	1 and 1/2 miles
Jeffery McCaffrey	1 and 1/2 miles
Melissa McCaffrey	1 and 1/2 miles
Ronald McCaffrey	1 and 1/2 miles
Michelle Miller	Within 10 miles
Robert Miller	Within 1 and 1/2 miles
Lorie Minix	1.3 miles
Christopher Morrill	6 miles
Crystal Morrill	6 miles
Milton Mueller	1 and 1/2 miles
Glenda O'Farrell	1 and 1/2 miles
Jesse Prewitt	Approximately 10 miles
Francisco Ramirez	2 miles
Charles Reed	1 and 1/2 miles
Kelly Reed	1 and 1/2 miles
David Rendon	1 and 1/2 miles
Terry Rollins	1.3 miles
Alexandra Ronngren	2 miles
David and Mary Rosales	2 miles
Russell Schnoonover	3 miles
Vera Schafer	5 miles
Bob Singleton	Within 9 miles
Charley Smith	12 miles
Jaren Smith	1.3 miles
John Smith	1.3 miles
Leah Smith	1.3 miles

David Tate	2 and 1/2 miles
Rhonda Tate	2 and 1/2 miles
Joyce Taylor	3 miles
Adriadna Teapila	1 and 1/2 miles
Billy Thompson	5 miles
Kenneth Thompson	1 and 1/4 miles
Todd Thompson	1 and 1/2 miles
John Vickery	Within 7 miles
Maria Vickery	Within 7 miles
L. R. Walker	Within 6 miles
R. W. Walker	Within 1 and 1/2 miles
Fahad Waqas	Within 12 miles
Deborah Welch	3 miles
Janet Westbrook	Within 10 miles

The Executive Director also recommends that the Commission find that Amy Ashby, Kevin Ashby, Ebbie Bailey, Deborah Bell, Rosalie Bianco, Kenneth Bishoff, Lea Ann Bishoff, Karen and Tim Bradberry, Tila Brooks, Laura Champagne, Gary Chunn, Penny Chunn, Larry Wayne Collins, Concerned Citizen # 1, William Winwright Cribbs, Troy Deaton, Frank Fanning, Stephanie Ford, Vanda Ford, Judith Gray, Beverly Hammett, Jerry Hammett, Linda Hampton, Kathleen Harrison, Dallas Hiatt, Barbara Huddleston, Timothy Huston, Stanley Johnson, Marilyn Kinney, Henry Knight, Sharon Labian, Francine Lafield, Brice Leverett, Edward Lichnerowicz, David Louder, Christine Ludwig, David Ludwig, Jose Marquez, Robert Martin, James and Lori Mattox, Jeffery McCaffrey, Melissa McCaffrey, Ronald McCaffrey, Michelle Miller, Robert Miller, Lorie Minix, Christopher Morrill, Crystal Morrill, Milton Mueller, Glenda O'Farrell, Jesse Prewitt, Fransisco Ramirez, Charles Reed, Kelly Reed , David Rendon, Terry Rollins, Alexandra Ronngren, David and Mary Rosales, Russell Schnoonover, Vera Schafer, Bob Singleton, Charley Smith, Jaren Smith, John Smith, Leah Smith, David Tate, Rhonda Tate, Joyce Taylor, Adriadna Teapila, Billy Thompson, Kenneth Thompson, Todd Thompson, John Vickery, Maria Vickery, L. R. Walker, R. W. Walker, Fahad Waqas, Deborah Welch, and Janet Westbrook, all of whom live or own property that is located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

b.) Group 2:

The Executive Director recommends that the Commission find that Stephen Barfield, Johnny Beall, Karen Beall, Jason Bellini, Kimberly Bellini, Charles Buzbee, Marie Buzbee, Floyd Collins, Tina Collins, Joshua Davis, Alberto Enriquez, Anneliese Enriquez, Steven Gothard, Mark Grimes, Kenny Hamby, Seth Jones, Mark Matheny, Albert Nelson, Shelia Nelson, David Sargent, Jr., Stephanie Simmons, James Singleton, Ciara Smalling, Sherry Smalling, George Standley, Linda Standley, Ricky Standley, James Watkins, Dale Welch, Karen Welch, and Julianne Young, all of whom live or own property within one mile from the proposed facility, are affected persons under 30 T.A.C. § 55.203.

The following requestors live or own property that is located farther than one mile from the proposed facility based upon information provided in their hearing request:

<u>Requestor</u>	<u>Distance from Proposed Facility</u>
Justin Abbott	2 miles
Roger Adams	2 miles
Ruth Allen	Approximately 2 miles
Dorthy Bell	3 and 1/2 miles
Mrs. R. A. Benedict	10 miles
Ralph Benedict II	10 miles
Bonnie Braswell	1 and 1/4 miles
Dennis R. Cartwright	Unknown
Rosemary Cartwright	Unknown
James Clanton	2 and 1/2 miles
Belinda Faulkner	5 to 8 miles
Lisa Ford	Unknown
Terri Gandy	Unknown
Sherry Glaze	15 miles
Matt Glazewski	Unknown
Glenela Godejohn	Unknown
Maurice Godejohn	Unknown
Martha Guilbeaux	2 miles
Ronnie Guilbeaux	2 miles
Sheila Hardwick	20 miles
Prescilla Harris	Unknown
Deborah Heuermann	1 and 1/2 miles
Amber Hunt	5 miles
Jimmy Hunt	5 miles
Crystal Kelsoe	3 miles
Eric Kelsoe	3 miles
Ed Kirkland	4 miles
Floralee Lovell	11 miles
James Lovell	7 miles
David Ludwig	2 miles
Charles Lyle	1 and 1/2 miles
Bob McDaniel	Unknown
Terri McDonald	Unknown
Carl and Linda McLeod	Unknown
Linda Middleton	Unknown
Luis Nava	5 miles
Tara Olephant	2 miles
Weda O'Neil	1 and 1/2 miles
Linda Ott	3 miles
Sylvia Padilla	2 miles
Jack Potter	Unknown

Lisa Reasor	8 to 9 miles
Terry Rollins	Unknown
Delores Roost	Approximately 1 and 1/2 miles
J. Sandles	Unknown
John and Leah Smith	1.2 miles
Nikki Somplasky	Approximately 2 miles
Joseph Tanseu	1 and 1/2 miles
David Tate	4 miles
Rhonda Tate	2 miles or 4 miles
Jason Turner	2 miles
Ken Vandine	Unknown
Shawn Wallace	3 miles
Dan Wallaer	5 miles
Cynthia Watford	8 to 10 miles
Shawn Watford	8 miles
Angela Welch	2 miles
Michael Wilkinson	Unknown
Esther Williams	Unknown

The Executive Director also recommends that the Commission find that Justin Abbott, Roger Adams, Ruth Allen, Dorthy Bell, Mrs. R. A. Benedict, Ralph Benedict II, Bonnie Braswell, Dennis R. Cartwright, Rosemary Cartwright, James Clanton, Belinda Faulkner, Lisa Ford, Terri Gandy, Sherry Glaze, Matt Glazewski, Glenela Godejohn, Maurice Godejohn, Martha Guilbeaux, Ronnie Guilbeaux, Sheila Hardwick, Prescilla Harris, Deborah Heuermann, Amber Hunt, Jimmy Hunt, Crystal Kelsoe, Eric Kelsoe, Ed Kirkland, Floralee Lovell, James Lovell, David Ludwig, Charles Lyle, Bob McDaniel, Terri McDonald, Carl and Linda McLeod, Linda Middleton, Luis Nava, Tara Olephant, Weda O'Neil, Linda Ott, Sylvia Padilla, Jack Potter, Lisa Reasor, Terry Rollins, Delores Roost, J. Sandles, John and Leah Smith, Nikki Somplasky, Joseph Tanseu, David Tate, Rhonda Tate, Jason Turner, Ken Vandine, Shawn Wallace, Dan Wallaer, Cynthia Watford, Shawn Watford, Angela Welch, Michael Wilkinson, and Esther Williams, all of whom live or own property that is located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

c.) Group 3:

The Executive Director recommends that the Commission find that Douglas Cockerham, Barbara Mayeux, Barbara McLeane, Paul Simmons, Jr., and Charlotte Williams, all of whom live or own property within one mile from the proposed facility, are affected persons under 30 TAC § 55.203.

The following requestors live or own property that is located farther than one mile from the proposed facility based upon the mailing address provided in their hearing request:

<u>Requestor</u>	<u>Distance from Proposed Facility</u>
Rachel Amachole	Unknown

Helen Barge	Unknown
William Boles	Unknown
Stephanie Brennan	Unknown
Tom Brennan	Unknown
Ernest and Marie Brown	Unknown
William Cockerham	Unknown
Amy Colvin	Unknown
Peggy Davis	Unknown
Norma Gibson	Unknown
Vernie Gibson	Unknown
James Harden	Unknown
Tommy Jensen	Unknown
Dalva Keener	Unknown
Stanley Lambery	Unknown
Howard Launius	Unknown
Everette Lawson	Unknown
Donald Myers	Unknown
Mrs. Don Myers	Unknown
Brandi Thoede	Unknown
Jesse Van Liew	Unknown
Jim Vaught	Unknown
Elanor von Tungeln	Unknown
Jim von Tungeln	Unknown
Craig Welch	Unknown
Sandy Welch	Unknown

The Executive Director also recommends that the Commission find that Rachel Amachole, Helen Barge, William Boles, Stephanie Brennan, Tom Brennan, Ernest and Marie Brown, William Cockerham, Amy Colvin, Peggy Davis, Norma Gibson, Venie Gibson, James Harden, Tommy Jensen, Dalva Keener, Stanley Lambery, Howard Launius, Everette Lawson, Donald Myers, Mrs. Don Myers, Brandi Thoede, Jesse Van Liew, Jim Vaught, Elanor von Tungeln, Jim von Tungeln, Craig Welch, and Sandy Welch, all of whom live or own property that is located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

d.) Group 4:

The following requestor's live or own property that is located farther than one mile from the proposed facility based upon the mailing address provided in their hearing request:

<u>Requestor</u>	<u>Distance from Proposed Facility</u>
Richard Arnold	Unknown
Eric Bettis	Unknown
Kayla Finley	Unknown
James Frank	Unknown
Vivian Hickman	Unknown

Tanya Hill	Unknown
Chrispen Johnson	Unknown
Norma Kay Lord	Unknown
Donald Myers	Unknown
Clara Riggins	Unknown
Larry Riggins	Unknown
Carol Saxon	Unknown
Marla Todd	Unknown
Elanor von Tungeln	Unknown
James von Tungeln	Unknown
Mark Wiggins	Unknown

The Executive Director recommends that the Commission find that Richard Arnold, Eric Bettis, Kayla Finley, James Frank, Vivian Hickman, Tanya Hill, Chirspen Johnson, Norma Kay Lord, Donald Myers, Clara Riggins, Larry Riggins, Carol Saxon, Marla Todd, Elanor von Tungeln, James von Tungeln, and Mark Wiggins, all of whom live or own property located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

e.) Group 5:

The Executive Director recommends that the Commission find that Linda Collins, Tina Collins, Albert and Shelia Nelson, and Karen Welch, all of whom live or own property within one mile of the proposed facility, are affected persons under 30 TAC § 55.203.

The following requestor's live or own property that is located farther than one mile from the proposed facility based upon the mailing address provided in their hearing request:

<u>Requestor</u>	<u>Distance from Proposed Facility</u>
Norma Gibson	Unknown
Billy Wagnon	Unknown

The Executive Director also recommends that the Commission find that Norma Gibson and Billy Wagnon, both of whom live or own property that is located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

f.) Group 6:

The Executive Director recommends that the Commission find that Daniel Heil and Jerri Heil, both of whom live or own property within one mile of the proposed facility, are affected persons under 30 TAC §. 55.203.

g.) Montgomery County, Texas

Montgomery County, Texas is a local governmental entity with statutory authority over issues relevant to the application; namely, its role in local or regional solid waste management planning pursuant to Chapter 363 of the Texas Health and Safety Code.

The Executive Director recommends that the Commission find that Montgomery County, Texas is an affected person under 30 TAC § 55.203.

h.) Individual Requestors

The Executive Director recommends that the Commission find that Doug Crofton, Rev. Duane Hamilton, Sandy Hamilton, Wayne Kocurer, Nonnie Maffet, Ronald Maffet, Barbara Mayeux, Travis Mayeux, Barbara McLeane, R. M. Palmer, on behalf of International Paper, Realty Division (International Paper), Lawrence and Carolyn Sue Rains, Melvin Shape, Cassie Smith, Linda Standley, David Stegenga, Linda Stegenga, Nancy Steward, Thomas Steward, James Walkinshaw, Jr., Karen Welch, and Paul Zylman, all of whom live or own property within one mile of the proposed facility, are affected persons under 30 TAC § 55.203.

The following requestor's live or own property that is located farther than one mile from the proposed facility based upon their mailing address or other information provided in their hearing request:

<u>Requestor</u>	<u>Distance from Proposed Facility</u>
Denise Bell	Unknown
Karen Bradberry	1.3 miles
Jim Dawson	Unknown
Judith Horne	Unknown
Thornton Ireland	Unknown
Earnest Kannak, Jr.	Unknown
Mary Lou Kirves	Unknown
Christine Ludwig	1.7 miles
Steven Matthews	Unknown
Carol Parten	Unknown
Greg Poole	Unknown
Louis Reiszner	Unknown
Carla Robles	Unknown
Pedro Rosales, Jr.	Unknown
Lynda and Bob Sasser	Unknown
Anita Severa	Unknown
John Smith	1.3 miles
Leah Smith	1.3 miles
Robert Smith	1.3 miles
David Tate	2 and 1/2 miles
Rhonda Tate	2 and 1/2 miles
Debra Teekamp	Unknown
Daniel Vargas	Unknown

Sabrina Westerfeld
Charlotte Williams

Unknown
Less than 1 mile

The Executive Director also recommends that the Commission find that Denise Bell, Karen Bradberry, Jim Dawson, Judith Horne, Thornton Ireland, Earnest Kannak, Jr., Mary Lou Kirves, Christine Ludwig, Steven Matthews, Carol Parten, Greg Poole, Louis Reiszner, Carla Robles, Pedro Rosales, Jr., Lynda and Bob Sasser, Anita Severa, John Smith, Leah Smith, Robert Smith, David Tate, Rhonda Tate, Debra Teekamp, Daniel Vargas, Sabrina Westerfeld, and Charlotte Williams, all of whom live or own property that is located farther than one mile from the proposed facility, are not affected persons under 30 TAC § 55.203.

3. Whether Citizens Against Montgomery Landfill (CAML) complied with 30 TAC § 55.205

Each of the hearing requests filed by Mary Carter, of Blackburn & Carter, P.C., lists Paul Zylman as a member of CAML. As stated above, the Executive Director believes that Mr. Zylman is an affected person who would otherwise have standing to request a hearing in his own right. The interests that CAML seeks to protect are germane to their purpose, and neither the claims asserted nor the relief requested requires the participation of individual members in the case.

The Executive Director recommends that the Commission find that CAML complied with 30 TAC § 55.205.

B. Whether the Issues Are Referable to SOAH

In addition to recommending to the Commission those persons who qualify as affected persons, the Executive Director analyzes issues raised in accordance with the regulatory criteria. Unless otherwise noted, the issues discussed below were all raised during the public comment period. None of the issues were raised solely in a comment which has been withdrawn. All the identified issues in the response are considered disputed, unless otherwise noted.

1. Whether the Applicant complied with the alternative language newspaper notice requirement at 30 TAC § 39.405(h).

This issue was raised and addressed in Response Number 2 of the Executive Director's First Amended Response to Public Comment (First Amended RTC). This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the public comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

2. Whether the Application should be allowed to proceed in light of opposition from state and local government officials.

This issue was raised and addressed in Response Number 4 of the Executive Director's First Amended RTC. TCEQ rules do not require an applicant for a new MSW facility to obtain the support of state or local governmental officials. Statements made by state or local governmental officials in support or opposition to an application are given the same weight as any public comment.

The Executive Director recommends that the Commission not refer this issue to SOAH.

3. Whether the processing of the Application was competently managed by the TCEQ.

This issue was raised and addressed in Response Number 6 of the Executive Director's First Amended RTC. Review times for the TCEQ permitting process are defined in TCEQ rules in accordance with state law. This application review has gone well beyond the typical time frame allotted due to the extension of the comment period to allow for additional public meetings, the submission and subsequent technical review of the amended permit application, and responding to extensive public comment.

The Executive Director recommends that the Commission not refer this issue to SOAH.

4. Whether the State of Texas should provide the Requestors with an attorney.

This issue was raised and addressed in Response Number 7 of the Executive Director's First Amended RTC. An attorney is not necessary to participate in the public participation process. Neither federal nor state law requires the state to provide counsel in administrative law matters. This issue is not relevant and material to the TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

5. Whether the proposed MSW facility is necessary to satisfy Montgomery County's waste disposal needs.

This issue was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. The regional solid waste management plan for Montgomery County, developed by the Houston-Galveston Area Council of Governments (H-GAC), calls for a Type IV landfill in Montgomery County to serve the region's waste disposal needs. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

6. Whether the Application should be allowed to proceed in light of the fact that the Applicant could sell their interest after the permit is issued.

This issue was raised and addressed in Response Number 42 of the Executive Director's First Amended RTC. The Executive Director has no information that indicates that, should the permit be issued, the Applicant intends to sell the permit. However, TCEQ rules do not prohibit such a transaction provided that it is properly documented and accepted through a permit modification, requiring public notice, pursuant to 30 TAC § 305.70(k)(13). This issue is not relevant and material to TCEQ's decision on this permit application

The Executive Director recommends that the Commission not refer this issue to SOAH.

7. Whether the Application adequately addresses land use compatibility pursuant to 30 TAC § 330.53(b)(8).

This issue was raised and addressed in Response Numbers 15 and 39 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

8. Whether the Application adequately addresses traffic concerns pursuant to 30 TAC §§ 330.51(b)(6)(C) and 330.53(b)(9).

This issue was raised and addressed in Response Number 16 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

9. Whether the Application properly identifies the 100-year floodplain pursuant to 30 TAC §§ 330.53(b)(12), 330.56(f)(3), and 330.56(f)(4)(B)(i).

This issue was raised and addressed in Response Number 24 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

10. Whether the Application adequately addresses flooding concerns pursuant to 30 TAC § 330.56(f).

This issue was raised and addressed in Response Number 24 and 25 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

11. Whether the proposed liner design will adequately protect groundwater resources pursuant to 30 TAC § 330.200(e).

This issue was raised and addressed in Response Numbers 26 and 27 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

12. Whether the proposed groundwater monitoring system design will adequately protect groundwater and soils from contamination pursuant to 30 TAC § 330.239.

This issue was raised and addressed in Response Numbers 26, 27, and 29 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

13. Whether the Application should be denied based on potential adverse impacts to property values in the surrounding communities.

This issue was raised and addressed in Response Number 39 of the Executive Director's First Amended RTC. The Texas Legislature has tasked the TCEQ with regulating the management of municipal solid waste in the state. TCEQ rules were promulgated to protect human health and safety, and the environment. Potential impacts on property values are outside the scope of the normal evaluation of a municipal solid waste application. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

14. Whether the Application satisfies 30 TAC §§ 330.56(o) and 330.139 regarding the handling, storage, treatment, and disposal of contaminated water.

This issue was raised and addressed in Response Numbers 27 and 28 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

15. Whether the Application satisfies 30 TAC § 330.56(f) regarding surface water drainage control.

This issue was raised and addressed by Response Numbers 27 and 28 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

16. Whether the Application contains the information about groundwater and aquifer conditions at the site required by 30 TAC §§ 330.53(b)(11)(A) and 330.56(d)(4).

This issue was raised and addressed by Response Numbers 27 and 29 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

17. Whether the maps contained in the Application comply with 30 TAC § 330.52(b)(4).

This issue was raised and addressed by Response Number 15 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

18. Whether the Application contains adequate provisions for the visual screening of the proposed facility.

This issue was raised and addressed in Response 22 of the Executive Director's First Amended RTC. 30 TAC § 330.138 provides that visual screening of deposited waste at an MSW facility must be provided by the owner or operator for the facility where the Executive Director determines that such screening is necessary. The Executive Director has determined that visual screening is not necessary for the proposed facility. This issue

is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

19. Whether the Applicant has adequately demonstrated that the proposed facility will not adversely impact wetlands and associated wildlife, including migratory birds pursuant to 30 TAC § 330.302.

This issue was raised and addressed in Response 31 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

20. Whether the Applicant has adequately demonstrated that the proposed facility will not adversely impact endangered or threatened species or their habitat pursuant to 30 TAC § 330.129.

This issue was raised and addressed in Response 31 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

21. Whether the Applicant has demonstrated compliance with the regional solid waste management plan, as required by 30 TAC § 330.51(b)(10).

This issue was raised and addressed in Response 4 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

22. Whether the Application contains appropriate cost estimates for the closure and post-closure care of the proposed facility pursuant to 30 TAC §§ 330.281(a) and 330.283(a).

This issue was raised and addressed in Response 40 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

23. Whether nearby residents would be notified of contamination occurring at the proposed facility in a prompt manner pursuant to 30 TAC §§ 330.56(n)(3)(A) for landfill gas and 330.235(g)(1)(C) and 330.236(d).

This issue was raised and addressed in Response Numbers 29 and 33 of the Executive Director's First Amended RTC. After a determination that the facility has a contaminated shallow water-bearing zone, the Executive Director may order corrective action pursuant to 30 TAC § 330.239(b)(7). Public notice regarding corrective action measures is governed by 30 TAC § 330.236(d). This issue raises a disputed issue of law rather than fact, and is not relevant and material to TCEQ's decision on this permit application

The Executive Director recommends that the Commission not refer this issue to SOAH.

24. Whether the addition of the proposed MSW facility constitutes landfill clustering in the area.

This issue was raised and addressed in Response Number 11 of the Executive Director's First Amended RTC. This concern is more appropriately addressed to the local council of governments during the development or revision of a regional solid waste management plan. The regional solid waste management plan for Montgomery County, developed by the Houston-Galveston Area Council of Governments (H-GAC), calls for a Type IV landfill in Montgomery County to serve the region's waste disposal needs. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

25. Whether the Application adequately provides for dust control pursuant to 30 TAC § 330.127(b).

This issue was raised and addressed in Response Number 32 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

26. Whether the Application adequately provides for the maintenance of site access roads in a clean and safe condition pursuant to 30 TAC § 330.127(c).

This issue was raised and addressed in Response Number 20 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and

material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

27. Whether a contested case hearing on the Application should be held in Montgomery County.

This issue was raised and addressed in Response Number 3 of the Executive Director's First Amended RTC. The SOAH Administrative Law Judge (ALJ) will determine the appropriate venue for the hearing. Pursuant to 1 TAC § 155.403, the SOAH ALJ will designate a neutral hearing site in accordance with applicable law. This issue is not relevant and material to TCEQ's decision on the application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

28. Whether the Application adequately provides for the control of windblown waste and litter pursuant to 30 TAC § 330.120.

This issue was raised and addressed in Response Number 20 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

29. Whether the Application adequately provides for odor control pursuant to 30 TAC § 330.125(b).

This issue was raised and address in Response Numbers 21 and 32 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

30. Whether the Application adequately provides for disease vector control pursuant to 30 TAC § 330.126.

This issue was raised and addressed in Response Numbers 21 and 23 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

31. Whether the proposed facility will adversely impact individual mineral rights at the landfill site that are not under the control of the Applicant.

This issue was raised and addressed in Response Number 38 of the Executive Director's First Amended RTC. The TCEQ does not have jurisdiction from the legislature to regulate mineral rights. Waste disposal authorizations from the TCEQ do not grant any property rights or special privileges to the holder of those authorizations. The issue of mineral rights is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

32. Whether the Applicant provided the information required by 30 TAC §§ 330.52(b)(7) and (b)(8) regarding property ownership and its legal status.

This issue was raised and addressed in Response Number 13 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

33. Whether the public meeting requirements of 30 TAC § 39.501(e) were met.

This issue was raised and addressed in Response Number 3 of the Executive Director's First Amended RTC. Due to the dissatisfaction expressed at the August 9, 2004 public meeting, where the size of the facility made it unable to accommodate all those who wished to participate, the TCEQ conducted a second public meeting on March 10, 2005 in order to accommodate all interested parties. A third public meeting was also held on April 10, 2008 to allow interested parties to comment on the amended application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

34. Whether the Application contains adequate operating procedures to prevent the disposal of prohibited waste pursuant to 30 TAC § 330.114(5).

This issue was raised and addressed in Response Number 19 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

35. Whether the Application contains the financial assurance information required by 30 TAC §§ 330.281(b) and 330.283(b).

This issue was raised and addressed in Response 40 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

36. Whether the Applicant should be required to seek an alternative location for the proposed facility.

This issue was raised and addressed in Response 11 of the Executive Director's First Amended RTC. TCEQ rules were promulgated to ensure that an MSW facility does not pose a health risk to the surrounding community. The Executive Director does not have the authority to consider alternative locations for proposed facilities. This issue is not relevant and material to TCEQ's decision on the permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

37. Whether the operating procedures in the Application adequately addresses fire protection pursuant to 30 TAC § 330.115.

This issue was raised and addressed in Response Number 14 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. The issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

38. Whether the Application adequately protects against illegal dumping in the area surrounding the proposed facility.

This issue was raised and addressed in Response Number 19 of the Executive Director's First Amended RTC. Illegal dumping in Montgomery County should be reported to the TCEQ by calling toll-free, 1-888-777-3186 or by calling the TCEQ Region 12 Office in Houston at (713) 767-3500. The MSW rules do not require applicants for a new MSW facility to take protective measures against illegal dumping in the area surrounding the proposed facility. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

39. Whether the Applicant submitted the information required by 30 TAC § 330.52(b)(9), evidencing competency to operate the proposed site.

This issue was raised and addressed by Response Number 41 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and

material to TCEQ's decision on the permit application. This issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

40. Whether the Applicant properly coordinated with Texas Department of Transportation (TXDOT) pursuant to 30 TAC § 330.51(b)(6)(C).

This issue was raised and addressed in Response Number 16 of the Executive Director's First Amended RTC. This issue is within TCEQ's jurisdiction and is relevant and material to TCEQ's decision on the permit application. This issue involves a question of fact, is disputed, was raised during the comment period, and was not withdrawn.

The Executive Director recommends that the Commission refer this issue to SOAH.

41. Whether the Application adequately addresses noise from the proposed facility.

This issue was raised and addressed in Response Number 21 of the Executive Director's First Amended RTC. The TCEQ does not have specific rules addressing noise at MSW facilities. This issue is not relevant and material to TCEQ's decision on this permit application.

The Executive Director recommends that the Commission not refer this issue to SOAH.

VI. Response to Requests for Reconsideration

The TCEQ's Office of Chief Clerk received requests for reconsideration of the Executive Director's decision on this application from Deborah Doran, Thornton Ireland, Barbara Mayeux, and Linda Standley. Deborah Doran's request for reconsideration raised the issues of traffic, flooding, groundwater contamination, wetlands protection, potential adverse effects on wildlife including migratory birds and their habitat, landfill clustering, protection of endangered or threatened species, potential adverse impact on property values, and an alternative site location for the proposed facility. Thornton Ireland's request for reconsideration raised the issues of dust control, groundwater protection, and traffic. Barbara Mayeux's request for reconsideration raised the issues of landfill clustering, traffic, maintenance of site access roads, flooding, monitoring of incoming waste, and water quality. Linda Standley's request for reconsideration raised the issues of alternative language notice requirements, and landfill clustering. These requests did not raise any issues not already addressed by the Executive Director during his review of this application and preparation of the First Amended RTC, nor did they present any new information that would cause the Executive Director to alter his decision. Accordingly, the Executive Director recommends that the Commission deny the requests for reconsideration.

VII. Duration of the Contested Case Hearing

Should the Commission decide to refer the case, the Executive Director recommends that the duration for a contested case hearing on this matter between the preliminary hearing and the presentation of a proposal for decision before the Commission be nine months.

VIII. Executive Director's Recommendations

The Executive Director recommends the following actions by the Commission:

- a) Find that the following requestors are affected persons:

Citizens Against Montgomery Landfill (CAML)

Montgomery County, Texas

Group 1

Heather Adams, Lori Adams, Rodney Adkinson, Lewis Akin, Emileen Atkinson, Richard Atkinson, Willie Mae Atkinson, Martha Barr, Jason Bellini, Kimberly Bellini, Betty Blackman, Terry Blackman, Violet Blackman, W. L. Blackman, Ann Blackmer, Robert Blackmer, Barry Brannon, Sherry Brannon, Courtney Brennan, Charles Buzbee, Marie Buzbee, James Crandle, David Deschner, Skipper Fountain, Steven Geisman, Melinda Hall, Sandy Hamilton, Steve Hamilton, Laurie Headings, Sonja Henry, Bobbie Irwin, Laura Jones, Ross Jones, Lorena Jungst, John Kenny, Charles Wade Lyle, Don McCaslin, Maggie McCaslin, Meaghan McCaslin, Tricia McCaslin, Barbara McLeane, Esmeralda McLeane, Matt McLeane, Ned McLeane, Tommy Miller, Jr., Rhonda Nash, David Neal, Debbie Neal, Casey Neely, Judith O'Toole, John Overall, Kelly Radmanovich, Milorad Radmanovich, Lawrence and Carolyn Sue Rains, Patricia Ream, Robert Ream, Maria Ronberg, R. Allen Selph, R. T. Selph, Frances Sheppard, Sfc. James Singleton, Richard Smith, Herbert Somplasky, Nikki Somplasky, Kathryn Spore, Linda Standley, Nancy Steward, Thomas Steward, Bennett Stone, Gordon Trott, Kimberly Trott, Jason Turner, Sandra Turner, Margaret Wagner, James Walkinshaw, Jr., James Watkins, Jr., Cliff Welch, Jim Welch, John Welch, Dale and Karen Welch, Charlotte Williams, James L. Williams, James S. Williams, Lacy Williams, Herschel Wilson, Jacqueline Woychesin, and Paul Zylman

Group 2

Stephen Barfield, Johnny Beall, Karen Beall, Jason Bellini, Kimberly Bellini, Charles Buzbee, Marie Buzbee, Floyd Collins, Tina Collins, Joshua Davis, Alberto Enriquez, Anneliese Enriquez, Steven Gothard, Mark Grimes, Kenny Hamby, Seth Jones, Mark Matheny, Albert Nelson, Shelia Nelson, David Sargent, Jr., Stephanie Simmons, James Singleton, Ciara Smalling, Sherry Smalling, George Standley, Linda Standley, Ricky Standley, James Watkins, Dale Welch, Karen Welch, and Julianne Young

Group 3

Douglas Cockerham, Barbara Mayeux, Barbara McLeane, Paul Simmons, Jr., and Charlotte Williams

Group 5

Linda Collins, Tina Collins, Albert and Shelia Nelson, and Karen Welch

Group 6

Daniel Heil and Jerri Heil

Individual Requestors

Doug Crofton, Rev. Duane Hamilton, Sandy Hamilton, Wayne Kocurer, Nonnie Maffet, Ronald Maffet, Barbara Mayeux, Travis Mayeux, Barbara McLeane, R. M. Palmer, on behalf of International Paper, Realty Division (International Paper), Lawrence and Carolyn Sue Rains, Melvin Shape, Cassie Smith, Linda Standley, David Stegenga, Linda Stegenga, Nancy Steward, Thomas Steward, James Walkinshaw, Jr., Karen Welch, and Paul Zylman

- b) Find that the following requestors are not affected persons:

Group 1

Amy Ashby, Kevin Ashby, Ebbie Bailey, Deborah Bell, Rosalie Bianco, Kenneth Bishoff, Lea Ann Bishoff, Karen and Tim Bradberry, Tila Brooks, Laura Champagne, Gary Chunn, Penny Chunn, Larry Wayne Collins, Concerned Citizen # 1, William Winwright Cribbs, Troy Deaton, Frank Fanning, Stephanie Ford, Vanda Ford, Judith Gray, Beverly Hammett, Jerry Hammett, Linda Hampton, Kathleen Harrison, Dallas Hiett, Barbara Huddleston, Timothy Huston, Stanley Johnson, Marylin Kinney, Henry Knight, Sharon Labian, Francine Lafield, Brice Leverett, Edward Lichnerowicz, David Louder, Christine Ludwig, David Ludwig, Jose Marquez, Robert Martin, James and Lori Mattox, Jeffery McCaffrey, Melissa McCaffrey, Ronald McCaffrey, Michelle Miller, Robert Miller, Lorie Minix, Christopher Morrill, Crystal Morrill, Milton Mueller, Glenda O'Farrell, Jesse Prewitt, Fransisco Ramirez, Charles Reed, Kelly Reed, David Rendon, Terry Rollins, Alexandra Ronngren, David and Mary Rosales, Russell Schnoonover, Vera Schafer, Bob Singleton, Charley Smith, Jaren Smith, John Smith, Leah Smith, David Tate, Rhonda Tate, Joyce Taylor, Adriadna Teapila, Billy Thompson, Kenneth Thompson, Todd Thompson, John Vickery, Maria Vickery, L. R. Walker, R. W. Walker, Fahad Waqas, Deborah Welch, and Janet Westbrook

Group 2

Justin Abbott, Roger Adams, Ruth Allen, Dorthy Bell, Mrs. R. A. Benedict, Ralph Benedict II, Bonnie Braswell, Dennis R. Cartwright, Rosemary Cartwright, James Clanton, Belinda Faulkner, Lisa Ford, Terri Gandy, Sherry Glaze, Matt Glazewski, Glenela Godejohn, Maurice Godejohn, Martha Guilbeaux, Ronnie Guilbeaux, Sheila Hardwick, Prescilla Harris, Deborah Heuermann, Amber Hunt, Jimmy Hunt, Crystal Kelsoe, Eric Kelsoe, Ed Kirkland, Floralee Lovell, James

Lovell, David Ludwig, Charles Lyle, Bob McDaniel, Terri McDonald, Carl and Linda McLeod, Linda Middleton, Luis Nava, Tara Olephant, Weda O'Neil, Linda Ott, Sylvia Padilla, Jack Potter, Lisa Reasor, Terry Rollins, Delores Roost, J. Sandles, John and Leah Smith, Nikki Somplasky, Joseph Tanseu, David Tate, Rhonda Tate, Jason Turner, Ken Vandine, Shawn Wallace, Dan Wallaer, Cynthia Watford, Shawn Watford, Angela Welch, Michael Wilkinson, and Esther Williams

Group 3

Rachel Amachole, Helen Barge, William Boles, Stephanie Brennan, Tom Brennan, Ernest and Marie Brown, William Cockerham, Amy Colvin, Peggy Davis, Norma Gibson, Venie Gibson, James Harden, Tommy Jensen, Dalva Keener, Stanley Lambery, Howard Launius, Everette Lawson, Donald Myers, Mrs. Don Myers, Brandi Thoede, Jesse Van Liew, Jim Vaught, Elanor von Tungeln, Jim von Tungeln, Craig Welch, and Sandy Welch

Group 4

Richard Arnold, Eric Bettis, Kayla Finley, James Frank, Vivian Hickman, Tanya Hill, Chirspen Johnson, Norma Kay Lord, Donald Myers, Clara Riggins, Larry Riggins, Carol Saxon, Marla Todd, Elanor von Tunglen, James von Tungeln, and Mark Wiggins

Group 5

Norma Gibson and Billy Wagnon

Individual Requestors

Denise Bell, Karen Bradberry, Jim Dawson, Judith Horne, Thornton Ireland, Earnest Kannak, Jr., Mary Lou Kirves, Christine Ludwig, Steven Matthews, Carol Parten, Greg Poole, Louis Reiszner, Carla Robles, Pedro Rosales, Jr., Lynda and Bob Sasser, Anita Severa, John Smith, Leah Smith, Robert Smith, David Tate, Rhonda Tate, Debra Teekamp, Daniel Vargas, Sabrina Westerfeld, and Charlotte Williams

- c) Should the Commission find that any of the requestors are affected persons, the following issues should be referred to SOAH for a Contested Case Hearing for a duration of nine months:
1. Whether the Applicant complied with the alternative language newspaper notice requirement at 30 TAC § 39.405(h).
 2. Whether the Application adequately addresses land use compatibility pursuant to 30 TAC § 330.53(b)(8).
 3. Whether the Application adequately addresses traffic concerns pursuant to 30 TAC §§ 330.51(b)(6)(C) and 330.53(b)(9).

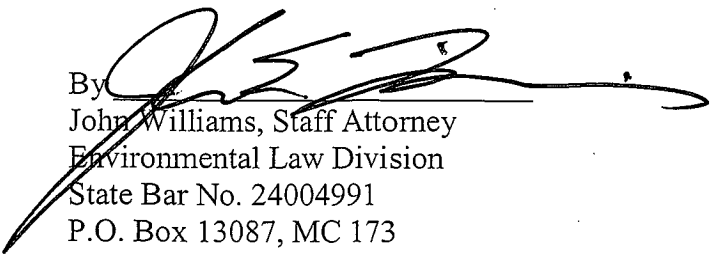
4. Whether the Application properly identifies the 100-year floodplain pursuant to 30 TAC §§ 330.53(b)(12), 330.56(f)(3), and 330.56(f)(4)(B)(i).
5. Whether the Application adequately addresses flooding concerns pursuant to 30 TAC § 330.56(f).
6. Whether the proposed liner design will adequately protect groundwater resources pursuant to 30 TAC § 330.200(e).
7. Whether the proposed groundwater monitoring system design will adequately protect groundwater and soils from contamination pursuant to 30 TAC § 330.239.
8. Whether the Application satisfies 30 TAC §§ 330.56(o) and 330.139 regarding the handling, storage, treatment, and disposal of contaminated water.
9. Whether the Application satisfies 30 TAC § 330.56(f) regarding surface water drainage control.
10. Whether the Application contains the information about groundwater and aquifer conditions at the site required by 30 TAC §§ 330.53(b)(11)(A) and 330.56(d)(4).
11. Whether the maps contained in the Application comply with 30 TAC § 330.52.(b)(4).
12. Whether the Application contains adequate provisions for the visual screening of the proposed facility pursuant to 30 TAC § 330.138.
13. Whether the Applicant has adequately demonstrated that the proposed facility will not adversely impact wetlands and associated wildlife, including migratory birds pursuant to 30 TAC § 330.302.
14. Whether the Applicant has adequately demonstrated that the proposed facility will not adversely impact endangered or threatened species or their habitat pursuant to 30 TAC § 330.129.
15. Whether the Applicant has demonstrated compliance with the regional solid waste management plan, as required by 30 TAC § 330.51(b)(10).
16. Whether the Application contains appropriate cost estimates from the closure and post-closure care of the proposed facility pursuant to 30 TAC §§ 330.281(a) and 330.283(a).
17. Whether the application adequately provides for dust control pursuant to 30 TAC § 330.127(b).

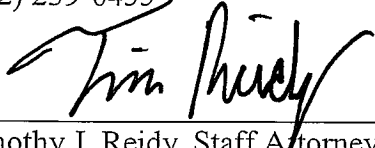
18. Whether the Application adequately provides for the maintenance of site access roads in a clean and safe condition pursuant to 30 TAC § 330.127(c).
 19. Whether the Application adequately provides for the control of windblown waste and litter pursuant to 30 TAC § 330.120.
 20. Whether the Application adequately provides for odor control pursuant to 30 TAC § 330.125(b).
 21. Whether the Application adequately provides for disease vector control pursuant to 30 TAC § 330.126.
 22. Whether the Applicant provided the information required by 30 TAC §§ 330.52(b)(7) and (b)(8) regarding property ownership and its legal status
 23. Whether the Application contains adequate operating procedures to prevent the disposal of prohibited waste pursuant to 30 TAC § 330.114(5).
 24. Whether the Application contains the financial assurance information required by 30 TAC §§ 330.281(b) and 330.283(b).
 25. Whether the operating procedures in the Application adequately addresses fire protection pursuant to 30 TAC § 330.115.
 26. Whether the Applicant submitted the information required by 30 TAC § 330.52(b)(9), evidencing competency to operate the proposed site.
 27. Whether the Applicant properly coordinated with Texas Department of Transportation (TXDOT) pursuant to 30 TAC § 330.51(b)(6)(C).
- d) Deny the Requests for Reconsideration filed by Deborah Doran, Thornton Ireland, Barbara Mayeux, and Linda Standley.

Respectfully submitted,
Texas Commission on Environmental
Quality

Mark R. Vickery, P.G.
Executive Director

Robert Martinez, Director
Environmental Law Division

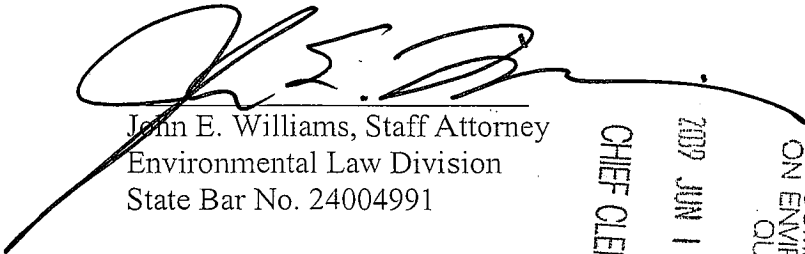
By 
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REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS
COMMISSION ON ENVIRONMENTAL
QUALITY

CERTIFICATE OF SERVICE

I certify that on June 15, 2009, an original and seven copies of the "Executive Director's Response to Hearing Requests and Requests for Reconsideration" relating to the application of Montgomery Landfill Solutions, L.P. for Permit No. 2324 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a complete copy was transmitted by mail, facsimile, or hand-delivery to all persons on the attached mailing list.


John E. Williams, Staff Attorney
Environmental Law Division
State Bar No. 24004991

CHIEF CLERKS OFFICE

2009 JUN 15 PM 1:48

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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2012 ACORN PL
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CONROE TX 77306-5973

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CLEVELAND TX 77328-9438

ROGER ADAMS
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CLEVELAND TX 77328-2719

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6197 FOREST DR
CLEVELAND TX 77328-5330

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JUDY BANKS
12016 METTS RD
CONROE TX 77306-7520

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CLEVELAND TX 77328-9528

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CONROE TX 77303-3244

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CLEVELAND TX 77328-5831

ROSALIE BIANO
22034 MORGAN CEMETERY RD
CLEVELAND TX 77328-6760

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BAYTOWN TX 77523-5676

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170 SPRING PINES DR
SPRING TX 77386-1128

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CONROE TX 77384-3362

MRS R A BENEDICT
15775 STOLTJE DR
CONROE TX 77306-6985

KENNITH BISHOFF
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CLEVELAND TX 77328-2801

CINDY JENKINS BAYER
414 VIRGIE COMMUNITY RD
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CONROE TX 77306-6985

LEA ANN BISHOFF
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CLEVELAND TX 77328-2801

BETTY BLACKMAN
2061 N WALKER RD
CLEVELAND TX 77328-2341

WAYNE BOCHIRN
11282 NEWTON CIR STE B
CONROE TX 77303-3275

JOE BOWMAN
22488 ALLYSON RD
MAGNOLIA TX 77354-8840

TERRY BLACKMAN
18190 DODD RD
CLEVELAND TX 77328-2326

MAGNOLIA C & WAYNE BOEHM
11282 NEWTON CIR STE B
CONROE TX 77303-3275

DAVID & SHARI BRACEWELL
19127 STILLWOOD RD
CLEVELAND TX 77328-2523

VIOLET BLACKMAN
18190 DODD RD
CLEVELAND TX 77328-2326

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CONROE TX 77303-3275

KAREN BRADBERRY
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3516 WOODPECKERS GRV
CLEVELAND TX 77328-2671

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8073 PINE SHADOWS RD
CLEVELAND TX 77328-5794

WILLIAM E BOLES
844 KINSMAN RD
CLEVELAND TX 77328-2511

BARRY BRANNON
308 KINSMAN RD
CLEVELAND TX 77328-2507

ROBERT S BLACKMER
8073 PINE SHADOWS RD
CLEVELAND TX 77328-5794

AL BOLT
17432 CALMWATER DR
MONTGOMERY TX 77356-4766

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CLEVELAND TX 77328-2507

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9026 S WILLIAMS RD
CONROE TX 77303-4242

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26325 NORTHGATE CROSSING BLVD #414
SPRING TX 77373-5625

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CLEVELAND TX 77328-2507

AMY BLANTON
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CONROE TX 77302-4412

KATHIE BOSWELL
12023 WILLIS WAUKEGAN RD
CONROE TX 77303-4403

BONNIE BRASWELL
3593 BRAZEWELL RD
CLEVELAND TX 77328-9511

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14423 BROOKS RD
CONROE TX 77302-4412

VIRGINIA BOSWELL
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MAGNOLIA TX 77354-6510

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CONROE TX 77306-6023

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CONROE TX 77302-4412

C B BOUDREAUX
13381 WALKER RD
CONROE TX 77302-6553

COURTENEY BRENNAN
9595 ADCKOCK ACRES DR
CONROE TX 77303-4069

STEPHANIE A BRENNAN
3515 KENNONVIEW DR
HOUSTON TX 77068-1316

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BLACKBURN CARTER PC
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HOUSTON TX 77004-5004

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9500 W NORTHRIDGE DR
CONROE TX 77303-2442

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1710 CRYSEL RD
CLEVELAND TX 77328-3004

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15451 BEN WIGGINS RD
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1710 CRYSEL RD
CLEVELAND TX 77328-3004

TILA BROOKS
348 COUNTY ROAD 3810
CLEVELAND TX 77328-6366

CHARLES E BUZBEE
6687 PINE SHADOWS RD
CLEVELAND TX 77328-5709

HAYLEY CASEY
11239 CLINT PARKER RD
CONROE TX 77303-3103

PAT BROOKSHIRE
746 S WALKER RD
CLEVELAND TX 77328-6318

MARIE BUZBEE
6687 PINE SHADOWS RD
CLEVELAND TX 77328-5709

R CASH
12732 PECAN TREE CT
WILLIS TX 77318-4226

DENNIS BROWN
3952 N OAK FOREST DR
CONROE TX 77303-4841

TRACEY CADENGO
14225 LEAFY LN
CONROE TX 77306-8105

CAROL & LOUIS CASTANON
13960 EDEN LN
WILLIS TX 77378-5852

DOROTHY M BROWN
1003 WINDSWEPT DR
CONROE TX 77301-1145

MARK CADWALLADER
598 ROLLINGHILLS RD
CONROE TX 77303-4692

JENISE & PHILLIP CEMINO
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CLEVELAND TX 77328-5703

ERNEST & MARIE BROWN
15849 FM 1484 RD
CONROE TX 77303-4127

ROBERT E CALDWELL
19941 COUNTY ROAD 373
MARQUEZ TX 77865-5189

JENISE & PHILLIP CEMINO
8450 ADCKOCK ACRES DR
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FRIEDA BROWN
11460 RUNNELS RD
CONROE TX 77303-3348

LENNICE CARGILL
KEYSTONE NATURAL RESOURCES
15090 FM 1314 RD
CONROE TX 77302-4806

BRIAN CHALOUPKA
29610 BROWNSVILLE ST
MAGNOLIA TX 77354-6494

JACK BROWN
11460 RUNNELS RD
CONROE TX 77303-3348

DAVID CARR
11792 HOLLY DR
CONROE TX 77303-3036

DARRELL CHALOUPKA
12243 TAURUS DR
WILLIS TX 77318-5196

LAURA CHAMPAGNE
4290 N DUCK CREEK RD
CLEVELAND TX 77328

PATRICIA & PAUL CLARK
10425 GREENRIDGE RD
CONROE TX 77303-4207

FLOYD & LINDA COLLINS
2925 N WALKER RD
CLEVELAND TX 77328-2345

VALLYE W CHANDLER
4607 WOODPECKERS GRV
CLEVELAND TX 77328-2734

STEPHEN CLARK
9167 FOSTORIA RD
CLEVELAND TX 77328-6961

FLOYD COLLINS
2558 N WALKER RD
CLEVELAND TX 77328-2348

JO CHAPMAN
602 SYCAMORE DR
CONROE TX 77302-1185

BILL COBLER
283 EASTWOOD DR
CONROE TX 77301-3203

LARRY WAYNE COLLINS
20724 RED OAK DR
CLEVELAND TX 77328-2934

ANN M CHEATHAM
3906 BRAZEWELL RD
CLEVELAND TX 77328-8525

BILLY & MYLA COBLER
283 EASTWOOD DR
CONROE TX 77301-3203

LINDA K COLLINS
2925 N WALKER RD
CLEVELAND TX 77328-2345

RICKIE CHILDERS
15941 MILLER RD
CONROE TX 77303-4939

CHRISTY COBURN
20833 OLD HIGHWAY 105
CLEVELAND TX 77328-6532

TINA COLLINS
2913 N WALKER RD
CLEVELAND TX 77328-2345

GARY CHUNN
15751 MILLER RD
CONROE TX 77303-4935

WILLIAM COBURN
20849 OLD HIGHWAY 105
CLEVELAND TX 77328-6532

AMY C COLVIN
14309 S PACIFIC ST
HOUSTON TX 77049-1729

PENNY CHUNN
15751 MILLER RD
CONROE TX 77303-4935

DOUGLAS COCKERHAM
6200 FOREST DR
CLEVELAND TX 77328-2615

LEE COMPTON
713 HILDRED AVE
CONROE TX 77303-1717

JOHN CISNEROS
212 LAKESHORE DR
CONROE TX 77304-2503

BECKY COLEBANK
11 S TALLOWBERRY DR
THE WOODLANDS TX 77381-2881

CARL COMSTOCK
90 FOX FIRE LN
WILLIS TX 77378-2652

JAMES E CLANTON
10605 GREENRIDGE RD
CONROE TX 77303-4211

BILLY COLLIER
16432 DANIKA OAK DR
CONROE TX 77306-6336

CONCERNED CITIZEN
PO BOX 874
NEW CANEY TX 77357-0874

PAT & PAUL CLARK
10425 GREENRIDGE RD
CONROE TX 77303-4207

FLOYD C COLLINS
2925 N WALKER RD
CLEVELAND TX 77328-2345

CONCERNED CITIZEN
9261 FATHOM DR
MONTGOMERY TX 77356-4765

CONCERNED CITIZEN
20147 HILLTOP RANCH DR
MONTGOMERY TX 77316-3180

CONCERNED CITIZEN
431 SHARON LN
WILLIS TX 77378-2815

TERESA COSHREY
325 BOIS D ARC DR
CONROE TX 77301-4575

CONCERNED CITIZEN
350 ATASCOCITA RD
HUMBLE TX 77396-3605

CONCERNED CITIZEN
19204 CEARLEY ST
CLEVELAND TX 77328-2700

JAMES W COUCH
1101 WILSON RD APT 915
CONROE TX 77301-1601

CONCERNED CITIZEN
1706 REBECCA LN
CONROE TX 77301-4024

CONCERNED CITIZEN
14852 COUNTRY WEST DR
CONROE TX 77302-6952

DOUG & TAMARA COUEY
7950 FOREST HILLS DR
MONTGOMERY TX 77316-9288

CONCERNED CITIZEN
16075 SOUTHERN PINES DR
CONROE TX 77302-5429

CONCERNED CITIZEN
10310 TIMBER SWITCH RD
CLEVELAND TX 77328-6243

JASON COWART
2337 OLD HIGHWAY 105 W
CONROE TX 77304-4447

CONCERNED CITIZEN
13212 ROY HARRIS LOOP
CONROE TX 77306-6616

CONCERNED CITIZEN
196 MUSCOVY TRL
LIVINGSTON TX 77351-5168

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CONROE TX 77303-2498

CONCERNED CITIZEN
11885 ANDERSON RD
WILLIS TX 77318-5509

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18451 SOLOMON ST
CLEVELAND TX 77328-6339

CONCERNED CITIZEN
16370 TREE MONKEY RD
CONROE TX 77303-4953

CONCERNED CITIZEN
15745 LAKEWAY DR
WILLIS TX 77318-3181

PAT CROWLEY
1207 FM 1485 RD
CONROE TX 77301-6827

CONCERNED CITIZEN
23901 CICADA CIR W
NEW CANEY TX 77357-8526

CONCERNED CITIZEN
28212 W FM 1097 RD
MONTGOMERY TX 77356-6319

DIANA CROWSON
16478 FM 2090 RD
CONROE TX 77306-7909

CONCERNED CITIZEN
14180 MILLMAC RD
CONROE TX 77303-4586

THOMAS L COOK
815 WHIPPORWILL RD
CONROE TX 77303-5288

WILLIAM CROWSON
16478 FM 2090 RD
CONROE TX 77306-7909

CONCERNED CITIZEN
9193 WHITE OAK DR
CONROE TX 77384-4627

SCOTT COSHREY
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CONROE TX 77301-4575

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SUNNIE DELEON
3261 JESTER DR
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27115 PURE KNOLL
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16373 CROCKETT XING
CONROE TX 77303-4998

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35 BLUSH HILL DR
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CLEVELAND TX 77328-6740

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24484 MORGAN CEMETERY RD
CLEVELAND TX 77328-6865

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4200 DESCHNER RD
CUT AND SHOOT TX 77303-4972

JULIE CULVER
15505 TREE MONKEY RD
CONROE TX 77303-4861

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CLEVELAND TX 77328-6625

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CONROE TX 77303-4949

TROY A DEATON
1600 RIVER POINTE DR APT 482
CONROE TX 77304-2690

GAIL & R DEWEY
10179 CHAMPION FOREST LOOP
CONROE TX 77303-3723

BRUCE DAILEY
15125 STARBOARD DR
WILLIS TX 77318-3275

JUDY DEHART
6880 WHITE ROCK RD
CLEVELAND TX 77328-6265

MARK & MONICA DIRENNA
8531 N WALKER RD
CLEVELAND TX 77328-5738

MARY ANN DANIELS
8288 DAW COLLINS RD
CLEVELAND TX 77328-6728

ARGELIO & ESMERALDA DELEON
3999 WOODPECKERS GRV
CLEVELAND TX 77328-2678

MATT DODD
751 WHIPPORWILL RD
CONROE TX 77303-5287

KARLA & ROBERT DARDEN
22328 FM 149 RD
MONTGOMERY TX 77356-3653

CRUZ DELEON
658 CROCKETT MARTIN RD
CONROE TX 77306-6098

DEBORAH K DORAN
7735 N WALKER RD
CLEVELAND TX 77328-5750

AYHA DARVEY
10179 CHAMPION FOREST RD
CONROE TX 77303-3703

J R DELEON
11347 WHITE RD
CONROE TX 77303-3437

DURWOOD DOSS, II
706 LITTLE RIVER DR
MONTGOMERY TX 77316-6143

DAVID LYNN DAUZART
6522 GREENWOOD DR
CLEVELAND TX 77328-9406

MARDE DELEON
11347 WHITE RD
CONROE TX 77303-3437

LEAMON V DOWDEN
8010 ADCOCK ACRES DR
CONROE TX 77303-4016

JAMES DOYAL
811 N MAIN ST
CONROE TX 77301-2532

PHIL EUDY
15329 JODY LN
CONROE TX 77303-3921

BOBBY & KAYLA RENEE FINLEY
17745 FM 1484 RD
CONROE TX 77303-4781

LEROY DUDLEY
16126 TREE MONKEY RD
CONROE TX 77303-4951

SHAWNA EVERETT
15836 TREE MONKEY RD
CONROE TX 77303-4858

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CONROE TX 77306-7175

L E DUNN, III
10930 ROSE ROYAL DR
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CLEVELAND TX 77328-2632

TARA FAY
15457 BEN WIGGINS RD
CONROE TX 77303-4807

MATTHEW FOSTER
15451 BEN WIGGINS RD
CONROE TX 77303-4807

WENDY ELLIS
29007 PORTSOY DR
MAGNOLIA TX 77354-5546

KENITA FENDLEY
5945 PINE SHADOWS RD
CLEVELAND TX 77328-5711

TANCI FOSTER
15455 BEN WIGGINS RD
CONROE TX 77303-4807

ALBERTO ENRIQUEZ
17631 HIGHWAY 105 E
CONROE TX 77306-5911

RICHARD W FENDLEY
5945 PINE SHADOWS RD
CLEVELAND TX 77328-5711

SKIPPER FOUNTAIN
2812 ACORN PL
CLEVELAND TX 77328

ANNELIESE ENRIQUEZ
17631 HIGHWAY 105 E
CONROE TX 77306-5911

JANICE FERRER
9605 ADCOCK ACRES DR
CONROE TX 77303-4029

JAMES J FRANK
15216 DOGWOOD LN
CONROE TX 77303-3910

KENNETH ESSMAX
22242 E HAMMOND DR
PORTER TX 77365-5528

PAT FERRER
9605 ADCOCK ACRES DR
CONROE TX 77303-4029

JULIA & SCOTT FRANKENFIELD
16265 RABON CHAPEL RD
MONTGOMERY TX 77316-2456

KAREN EUDY
15329 JODY LN
CONROE TX 77303-3921

RICK FINERY
393 LAKEVIEW CT
LOWELL IN 46356-1221

REX FRY
24715 MARKS RD
SPLENDORA TX 77372-3414

HOMER GALICIA
12423 W SUMMERLIN
CONROE TX 77302-3573

F P GEORGE
16513 LEAFY MEADOW DR
CONROE TX 77302-5452

KELLY GORRELL
12390 CRICKET LN
CONROE TX 77303-5015

JO ANNE GALULMAN
218 BYBEE DR
CONROE TX 77301-2105

RACHEL GIBLIN
142 ORION LN
CONROE TX 77306-5973

STEVEN GOTHARD
3375 N WALKER RD
CLEVELAND TX 77328-9557

BARBARA J GANDY
9131 ADCOCK ACRES DR
CONROE TX 77303-4027

NORMA J GIBSON
5730 S DUCK CREEK RD
CLEVELAND TX 77328-6696

JACK GRANT
28726 SEDGEFIELD ST
SPRING TX 77386-5465

ROBERT J GANDY
9131 ADCOCK ACRES DR
CONROE TX 77303-4027

SHERRY GLAZE
21527 MADDUX DR
PORTER TX 77365-5948

BETTY S & WILLIAM GRANTHAM
8523 PINE SHADOWS RD
CLEVELAND TX 77328-5716

TERRI GANDY
PO BOX 1031
CLEVELAND TX 77328-1031

MATT GLAZEWSKI
20119 FOX GROVE LN
HUMBLE TX 77338-1607

JUDITH GRAY
310 S 1ST ST
CONROE TX 77301-3679

ESTEBAN GARCIA
512 HALL ST
CONROE TX 77301-5072

GLENELA GODEJOHN
10556 FOSTORIA RD
CLEVELAND TX 77328-6919

BETTY & FRED GREGG
4530 WEIR RD
CLEVELAND TX 77328-6229

STACEY GAREE
21704 VILLAGE CT
PORTER TX 77365-4641

MAURICE GODEJOHN
10556 FOSTORIA RD
CLEVELAND TX 77328-6919

MARK GRIMES
5458 GREENWOOD DR
CLEVELAND TX 77328-9404

GARY & JESS GARNER
3006 JO ANN DR
JOLIET IL 60431-1529

MAUREEN GOLDEN
505 SPRINGWOOD DR
CONROE TX 77385-9513

RANDALL GROSS
8498 PINE SHADOWS RD
CLEVELAND TX 77328-5718

SIDNEY GAYLORD
14120 TOWER GLEN LN
CONROE TX 77306-8479

LEAH GONZALES
31111 N HEAD DR
SPRING TX 77386-2211

MARTHA GUILBEAUX
7985 ADCOCK ACRES DR
CONROE TX 77303-4015

STEVEN GEISMAN
18720 OAKRIDGE DR
CLEVELAND TX 77328-2669

CARA JO GONZALEZ
11694 MAGNOLIA BEND DR
CONROE TX 77302-4362

RONNIE GUILBEAUX
7985 ADCOCK ACRES DR
CONROE TX 77303-4015

BRITTANY GULLETTE
1607 SHADY OAKS DR
CONROE TX 77301-1947

DEBBIE HANCOCK
10330 VALLEY DR S
WILLIS TX 77318-6443

TRACEY MARIE HARRISON
624 STONEWALL JACKSON DR
CONROE TX 77302-8400

MELINDA HALL
20122 MEADOW LAKE RD
CLEVELAND TX 77328-2656

BRUCE G & SUZANNE HANSEN
62 SHADOW LN
WHISPERING PINES NC 28327-9359

MARY M JENNINGS HARTT
10180 CROCKETT MARTIN RD
CONROE TX 77306-7024

KENNY HAMBY
7791 HIDDEN ACRES DR
CLEVELAND TX 77328-2631

SHEILA HARDRICK
5022 ALGERNON DR
SPRING TX 77373-6973

RHONDA HARVEY
12060 TWIN PINES RD
CONROE TX 77303-5180

DUANE E HAMILTON
18789 OAKRIDGE DR
CLEVELAND TX 77328-2668

MARK C HARRELL
10751 DARBY LOOP
CONROE TX 77385-7407

BRYAN HAYES
16470 PISCES RD
CONROE TX 77306-5981

SANDY & STEVE HAMILTON
3314 N WALKER RD
CLEVELAND TX 77328-9556

FRANK HARRIS, JR
2214 VALLEY VIEW XING
CONROE TX 77304-1635

LAURIE HEADINGS
4681 GREENWOOD DR
CLEVELAND TX 77328-9413

SANDY HAMILTON
3314 N WALKER RD
CLEVELAND TX 77328-9556

HARRY HARRIS
1111 WAUKEGAN RD
CONROE TX 77306-5899

DANIEL HEIL
18953 OAKRIDGE DR
CLEVELAND TX 77328-9440

STEVE HAMILTON
3314 N WALKER RD
CLEVELAND TX 77328-9556

MAGGIE HARRIS
2214 VALLEY VIEW XING
CONROE TX 77304-1635

JERRI HEIL
18953 OAKRIDGE DR
CLEVELAND TX 77328-9440

BEVERLY HAMMETT
19575 CEARLEY ST
CLEVELAND TX 77328-2731

PRESCILLA HARRIS
18219 YUKON RIDGE TRL
HUMBLE TX 77346-4091

JOSEPH HEMBY
7627 GREENWOOD DR
CLEVELAND TX 77328-9423

JERRY HAMMETT
19575 CEARLEY ST
CLEVELAND TX 77328-2731

WYNNE HARRIS
PO BOX 905
CONROE TX 77305-0905

CAROL HENNESSY
17640 HIGHWAY 105 E
CONROE TX 77306-5910

LINDA HAMPTON
PO BOX 937
CLEVELAND TX 77328-0937

KATHLEEN HARRISON
20245 TEEPEE TRL
CLEVELAND TX 77328-2838

SONJA HENRY
17230 PEACH CREEK DR
CONROE TX 77303-3428

KATHY HERNANDEZ
17190 WHITE OAK ORCH
CONROE TX 77306-6078

DWAYNE & PAMELA HOOD
10933 NEWTON CIR
CONROE TX 77303-3241

RUSTY IRELAND
545 FM 1488 RD APT 2305
CONROE TX 77384-3964

LISA HESSLER
10632 CHAMPION VILLAGE DR
CONROE TX 77303-3746

JUDITH HORNE
1150 LEE TURNER RD
CLEVELAND TX 77328-5968

THORNTON E IRELAND, JR
545 FM 1488 RD APT 2305
CONROE TX 77384-3964

DEBORAH HEUERMANN
11610 BROWDER TRAYLOR RD
CONROE TX 77303-3304

CHANHE HORTON
550 S PINE LAKE RD
MONTGOMERY TX 77316-3001

BOBBIE IRWIN
18670 PARKER RD
CLEVELAND TX 77328-9518

VIVIAN R HICKMAN
18057 DOGWOOD DR
CONROE TX 77303-3211

CLAUDIA HUBBARD
15412 JODY LN
CONROE TX 77303-3922

EDGAR EUGENE JACKSON
3757 WALKER RD
CONROE TX 77303-4915

DALLAS HIETT
20270 S GERONIMO TRL
CLEVELAND TX 77328-2801

BARBARA HUDDLESTON
14249 CEDAR LANE LOOP
WILLIS TX 77378-4129

EUGENE & TINA JACKSON
3757 WALKER RD
CONROE TX 77303-4915

DEWANA HIGGINS
17941 FM 1484 RD
CONROE TX 77303-4739

J O HUDSON
17958 FM 2090 RD
CONROE TX 77306-7931

TOMMY JENSEN
8122 N WALKER RD
CLEVELAND TX 77328-5727

JAMIE HIGGINS
17941 FM 1484 RD
CONROE TX 77303-4739

ROXANNA HUDSON
17958 FM 2090 RD
CONROE TX 77306-7931

CHRISPEN L JOHNSON
15337 HOLLY LN
CONROE TX 77303-3915

TANYA HILL
1116 GREENBELT DR
CLEVELAND TX 77328-3060

JEFF & STACIE HUNTER
3306 SHADOWCREST CT
MONTGOMERY TX 77356-5497

GEORGE JOHNSON
19890 FM 1314 RD
PORTER TX 77365-3400

BEVERLEY HINDS
10735 MAGNOLIA DR
CONROE TX 77303-3223

TIMOTHY HUSTON
6744 HIDDEN ACRES DR
CLEVELAND TX 77328-2619

JOLENE JOHNSON
15284 WHITE OAK LN
CONROE TX 77303-3962

CLOREDA & MR JAMES E HOGAN
15498 BEN WIGGINS RD
CONROE TX 77303-4806

TERESA HYMIL
297 MAPLE ST
CONROE TX 77301-3207

STANLEY JOHNSON
539 KINSMAN RD
CLEVELAND TX 77328-2514

DORENE JONES
1181 N WALKER RD
CLEVELAND TX 77328-2339

DALVA KEENER
13877 E FM 1097 RD
WILLIS TX 77378-4347

ED KIRKLAND
16605 HIGHLINE BLVD
CONROE TX 77306-6044

LAURA JONES
792 N WALKER RD
CLEVELAND TX 77328-2318

MORGAN KELLEY
211 PRINCE OF WALES ST
CONROE TX 77304-2717

MARY LOU KIRVES
12056 FM 830 RD
WILLIS TX 77318-5544

ROSS I JONES
1758 PRICE DR
CLEVELAND TX 77328-3050

PATTY KELTCH
7409 ADCOCK ACRES DR
CONROE TX 77303-4005

HENRY KNIGHT
20198 SHERWOOD DR
CLEVELAND TX 77328-2825

SETH JONES
3680 WOODPECKERS GRV
CLEVELAND TX 77328-2672

DEVAN KENDRICK
15511 TREE MONKEY RD
CONROE TX 77303-4861

WAYNE KOCUREK
1588 N WALKER RD
CLEVELAND TX 77328-2334

LORENA JUNGST
9595 ADCOCK ACRES DR
CONROE TX 77303-4069

SHARON KENDRICK
15511 TREE MONKEY RD
CONROE TX 77303-4861

SUSAN KOSKA
31611 TERRI LN
MAGNOLIA TX 77355-5822

DEVIN KAATZ
5302 11TH ST APT 106
LUBBOCK TX 79416-4447

VINCENT SCOTT KENDRICK
15511 TREE MONKEY RD
CONROE TX 77303-4861

RUBY KRAUTKREMER
9610 W SHORE DR
WILLIS TX 77318-6642

MINNIE & NORMANE KAATZ
12732 COON MASSEY RD
CONROE TX 77306-7700

LARRY KENNEDY
1625 ACORN PL
CLEVELAND TX 77328-2305

JOHN KUKE
21775 CAROL RD
NEW CANEY TX 77357-8105

ERNEST KANAK, JR
PO BOX 1946
CONROE TX 77305-1946

JOHN KENNEY
11791 PADDOCKS RD
CONROE TX 77306-7559

TRACEY KURTZ
94 S SHIRLEY LN
WILLIS TX 77378-8394

MARTY KAY
14853 BOYD LN
CONROE TX 77306-5719

KARA KERN
2325 COBBLECREEK DR
CONROE TX 77384-3703

ANGELA KYLE
4125 BRAZEWELL RD
CLEVELAND TX 77328-9513

RENE SOMMER KAY
14853 BOYD LN
CONROE TX 77306-5719

MARILYN KINNEY
15348 JODY LN
CONROE TX 77303-3920

SHARON LABIAN
4200 WEIR RD
CLEVELAND TX 77328-7250

FRANCINE LAFIELD
11441 METTS RD
CONROE TX 77306-7509

SANDY LEHMAN
26967 E RIVER RD
SPLENDORA TX 77372-4268

JOHN LONG
9189 CRYSTAL SPRINGS DR
CONROE TX 77303-2325

TAMRA LAMBON
13319 BLUFF VIEW DR
WILLIS TX 77318-5305

BRIGHT LEMASTER
9413 GREENWOOD DR
CLEVELAND TX 77328-9432

GEORGE R LONGMORE
118 HIWON DR
CONROE TX 77304-1132

STANLEY LAMBERY
844 KINSMAN RD
CLEVELAND TX 77328-2511

LELIA BRIGHT & MICHAEL J LEMASTER
9413 GREENWOOD DR
CLEVELAND TX 77328-9432

DONALD LOOSIER
119 RED OAK LN
CONROE TX 77304-2522

JAMES LAMENDOLA
7041 PINE SHADOWS RD
CLEVELAND TX 77328-5708

MICHAEL J LEMASTER
9413 GREENWOOD DR
CLEVELAND TX 77328-9432

NORMA KAY LORD
34 PALMER CREST CT
SPRING TX 77381-4209

HOWARD LAUNIUS
17428 FM 1484 RD
CONROE TX 77303-4728

BRICE LEVERETT
12565 ROBIN LN
WILLIS TX 77378-4747

DAVID LOUNDER
12714 ROY HARRIS LOOP
CONROE TX 77306-6606

EVERETTE LAWSON
PO BOX 398
ACE TX 77326-0398

RAYMOND LEWIS
1002 APACHE DR
MONTGOMERY TX 77316-5191

FLORALEE LOVELL
10578 FAWN MIST DR
CONROE TX 77303-4461

KEVIN & MELANIE LAWSON
13285 E FM 1097 RD
WILLIS TX 77378-4335

MARK LICHMAN
2373 CROCKETT MARTIN RD
CONROE TX 77306-6278

JAMES LOVELL
10578 FAWN MIST DR
CONROE TX 77303-4461

LEE, LIBRADO & TINA LEAL
18788 OAKRIDGE DR
CLEVELAND TX 77328-2669

EDWARD A LICHNEROWICZ
2020 WHITE BUCK CT
CLEVELAND TX 77327

CHRISTINE LUDWIG
18085 OLD HIGHWAY 105
CLEVELAND TX 77328-6295

SHERRY LEBLANC
24621 COCHRAN DR
PORTER TX 77365-5513

PHILLIP LINDSEY
1640 N WALKER RD
CLEVELAND TX 77328-2335

DAVID H LUDWIG, JR
18083 OLD HIGHWAY 105
CLEVELAND TX 77328-6295

JOE LEGGETT
17582 HIGHWAY 105 E
CONROE TX 77306-5908

PATTIE LITTLE
10377 S WILLIAMS RD
CONROE TX 77303-4255

DAVID LUDWIG
18085 OLD HIGHWAY 105
CLEVELAND TX 77328-6295

CHARLES W LYLE
20000 MEADOW LAKE RD
CLEVELAND TX 77328-2696

JOSE QUADALUPE MARQUEZ
15467 JODY LN
CONROE TX 77303-3923

JEFFERY MCCAFFREY
4231 WEIR RD
CLEVELAND TX 77328-7251

BRANDI LYONS
7735 N WALKER RD
CLEVELAND TX 77328-5750

ROBERT B MARTIN
20122 MEADOW LAKE RD
CLEVELAND TX 77328-2656

MELISSA MCCAFFREY
4231 WEIR RD
CLEVELAND TX 77328-7251

SUSIE & TOMMY MACHEN
150 ATWATER CV
AUSTIN TX 78737-4581

JENNIFER MARTINEZ
211 INDIAN FLS N
MONTGOMERY TX 77316-2079

RONALD MCCAFFREY
4231 WEIR RD
CLEVELAND TX 77328-7251

WILLIAM MADDOX
25015 MEADOW LN
PORTER TX 77365-6231

MARK MATHENY
8396 ADCOCK ACRES DR
CONROE TX 77303-4082

DON MCCASLIN
328 N WALKER RD
CLEVELAND TX 77328-2314

NONNIE MAFFET
8876 N WALKER RD
CLEVELAND TX 77328-5736

SUSAN MATHEWS
390 FM 3083 RD
CONROE TX 77301-6428

MAGGIE MCCASLIN
328 N WALKER RD
CLEVELAND TX 77328-2314

RON MAFFET
8876 N WALKER RD
CLEVELAND TX 77328-5736

BOBBY LEE MATTHEWS, JR
2511 PARANA DR
HOUSTON TX 77080-3821

MEGHAN MCCASLIN
328 N WALKER RD
CLEVELAND TX 77328-2314

SUSANA MAGANA
17514 WHITE OAK ORCH
CONROE TX 77306-6171

STEVEN MATTHEWS
15209 MCRAE LK
CONROE TX 77303-3955

TRICIA MCCASLIN
328 N WALKER RD
CLEVELAND TX 77328-2314

RAILEEN MANGURN
16109 SUN VIEW LN
CONROE TX 77302-5556

JAMES A & LORI MATTOX
16570 FM 1484 RD
CONROE TX 77303-4166

BOB MCDANIEL
5410 DUNLEITH LN
SPRING TX 77379-7900

TERRY MANN
2995 MANN RD
CONROE TX 77303-4533

BARBARA MAYEUX
2547 N WALKER RD
CLEVELAND TX 77328-2343

PEARL MCDONALD
20065 SHERWOOD DR
CLEVELAND TX 77328-2831

KENNETH MANZELLA
9701 FOSTORIA RD
CLEVELAND TX 77328-6963

TRAVIS MAYEUX
2547 N WALKER RD
CLEVELAND TX 77328-2343

TERRI MCDONALD
14860 ROSEBUD LN
CONROE TX 77303-3360

BETTY & LOUIS MCGUIRE
PO BOX 414
CONROE TX 77305-0414

DENNIS MCNABB
3156 ROLLINGHILLS RD
CONROE TX 77303-4639

S MILLER
20419 SUNNY SHORES DR
HUMBLE TX 77346-1777

APRIL MCHENRY
8511 PINE SHADOWS RD
CLEVELAND TX 77328-5716

DAVID C MCQUEEN
PO BOX 1695
NEW WAVERLY TX 77358-1695

TOMMY MILLER, JR
4195 WOODPECKERS GRV
CLEVELAND TX 77328-2684

JEFF L MCKINNEY
9510 S WILLIAMS RD
CONROE TX 77303-4270

AIDA MEDINILLA
11282 NEWTON CIR STE A
CONROE TX 77303-3275

LORRIE MINIX
2314 MILLER RD
CLEVELAND TX 77328-3035

BARBARA MCLEANE
5076 GREENWOOD DR
CLEVELAND TX 77328-9403

ALBERT & LINDA MENARD
12008 CEDAR LN
CONROE TX 77303-3147

KELLIE MONTGOMERY
11358 GLEN FOREST DR
MONTGOMERY TX 77356-5507

ESMERALDA MCLEANE
5076 GREENWOOD DR
CLEVELAND TX 77328-9403

JOSH MERIMON
108 PEGGY LN
WILLIS TX 77378-8646

CINDY & TERRY MOON
20061 SHERWOOD DR
CLEVELAND TX 77328-2831

MATT MCLEANE
5076 GREENWOOD DR
CLEVELAND TX 77328-9403

KENNETH R MEUTH
9211 GREENWOOD DR
CLEVELAND TX 77328-9430

TAMMY MOORE
8761 HIDDEN ACRES DR
CLEVELAND TX 77328-2636

NED MCLEANE
5076 GREENWOOD DR
CLEVELAND TX 77328-9403

AMANDA MIDDEL-URBY
648 BELLINGRATH PARK
CONROE TX 77302-3018

ROBERT MORGAN
2325 COBBLECREEK DR
CONROE TX 77384-3703

CARL MCLEOD
8042 GREENWOOD DR
CLEVELAND TX 77328-9437

J MILES
20419 SUNNY SHORES DR
HUMBLE TX 77346-1777

CHRISTOPHER MORRILL
12735 ROYAL SHORES DR
CONROE TX 77303-2635

STEPHANE MCMILLAN
26388 COLEMAN DR
SPLENDORA TX 77372-3326

MICHELLE MILLER
11370 RUNNELS RD
CONROE TX 77303-3346

CRYSTAL MORRILL
12735 ROYAL SHORES DR
CONROE TX 77303-2635

AMY MCMULLEN
15287 JODY LN
CONROE TX 77303-3919

ROBERT MILLER
20112 MEADOW LAKE RD
CLEVELAND TX 77328-2656

BOBBY G MORRIS
3931 PINE RD
CLEVELAND TX 77328-9533

ELLA MAY MORRIS
3931 PINE RD
CLEVELAND TX 77328-9533

LUIS ANGEL NAVA
12321 ROYAL WEST DR
CONROE TX 77303-2679

DIANNE NUGENT
13784 CREIGHTON RD
CONROE TX 77302-3312

MICHAEL MORRIS
3931 PINE RD
CLEVELAND TX 77328-9533

DAVID NEAL
6185 FOREST DR
CLEVELAND TX 77328-5330

MARY O MALLEY
8511 PINE SHADOWS RD
CLEVELAND TX 77328-5716

VICKIE MORSE
17424 FM 1484 RD
CONROE TX 77303-4728

DEBORAH NEAL
6185 FOREST DR
CLEVELAND TX 77328-5330

MATT O MALLEY
8511 PINE SHADOWS RD
CLEVELAND TX 77328-5716

MILTON MUELLER
16499 N EMERSON CIR
CONROE TX 77306-5948

TIFFANY NEAL
18444 SOLOMON ST
CLEVELAND TX 77328-6338

GLYN OBRIANT
13808 LYRIC RD
CONROE TX 77302-5746

ALISA MURPHY
3513 WOODPECKERS GRV
CLEVELAND TX 77328-2682

CASEY A NEELY
9595 ADCOCK ACRES DR
CONROE TX 77303-4069

GLEND A O'FARRELL
18039 OLD HIGHWAY 105
CLEVELAND TX 77328-6295

SUSAN MURRELL
27950 WALLER SP RD
WALLER TX 77484

ALBERT NELSON
2791 N WALKER RD
CLEVELAND TX 77328-2344

MONICA OGILVIE
10131 WHITE ROCK RD
CONROE TX 77306-7671

DON & DORIS MYERS
17963 DOGWOOD DR
CONROE TX 77303-3209

ALBERT & SHELIA NELSON
2791 N WALKER RD
CLEVELAND TX 77328-2344

TARA OLEPHANT
17425 FM 1484 RD
CONROE TX 77303-4735

DONALD G MYERS
17963 DOGWOOD DR
CONROE TX 77303-3209

SHELIA NELSON
2791 N WALKER RD
CLEVELAND TX 77328-2344

DENNIS M O'MALLEY
6511 PINE SHADOWS
CLEVELAND TX 77328

KEVIN MYERS
15072 EAST DR
CONROE TX 77302-6602

DEBORAH G & GEORGE D NOBLE
1777 ACORN PL
CLEVELAND TX 77328-2306

MARIGRACE O'NEAL
1640 N WALKER RD
CLEVELAND TX 77328-2335

RHONDA NASH
15969 TREE MONKEY RD
CONROE TX 77303-4865

PAULA NOBLE
3409 DRUIDS CT
MONTGOMERY TX 77356-7993

LEDA O'NEIL
19273 MEADOW LAKE RD
CLEVELAND TX 77328-2662

MARIGRACE ONEIL
1640 N WALKER RD
CLEVELAND TX 77328-2335

BETTY PARMER
204 BEDFORD LN
CONROE TX 77303-1818

DEBORRAH PICKERING
15458 TREE MONKEY RD
CONROE TX 77303-4854

TRUDILEE O'NEIL
1588 N WALKER RD
CLEVELAND TX 77328-2334

GEORGE PARMER
204 BEDFORD LN
CONROE TX 77303-1818

JANINE PIECIS
2224 HIGHPOINT MDW
CONROE TX 77304-1628

DEBBIE ORSACK
6197 FOREST DR
CLEVELAND TX 77328-5330

CAROL PARTEN
1102 LISA LN
HUMBLE TX 77339-3430

FAY & RICHARD PILKINGTON
10799 WHITE ROCK RD
CONROE TX 77306-7677

MARVIN ORSACK
6197 FOREST DR
CLEVELAND TX 77328-5330

AVENY & MARIANN PATTERSON
1709 CAROL LEE LN
CONROE TX 77301-4009

SUSAN PINE
15321 JODY LN
CONROE TX 77303-3921

JUDITH OTOOLE
19524 MEADOW LAKE RD
CLEVELAND TX 77328-2653

MELANIE PERDUE
580 BROWN RD
WILLIS TX 77378-2621

DARREL PINKSTON
640 COUNTY ROAD 421
SPICEWOOD TX 78669-4026

LINDA OTT
16709 HIGHLINE BLVD
CONROE TX 77306-6045

GLADYS PEREZ
16520 CROCKETT FOREST DR
CONROE TX 77306-6004

JACK POTTER
529 COUNTY ROAD 3317
CLEVELAND TX 77327-4285

JOHN OVERALL
1216 N WALKER RD
CLEVELAND TX 77328-2333

BRIAN PETERMAN
2235 PARKDALE DR
HUMBLE TX 77339-2350

JESSE PREWITT
11440 HILLGREEN DR
CONROE TX 77303-5110

SYLVIA PADILLA
18757 OAKRIDGE DR
CLEVELAND TX 77328-2668

WILLIAM PETTY, JR
20865 BARBARA LN
MONTGOMERY TX 77356-4360

MICHELLE PULE
3706 AVENUE O
GALVESTON TX 77550-6624

RM PALMER
4343 HILL FOREST DR
HUMBLE TX 77345-1416

LINDA & ROBERT PHILLIPS
9775 WHISPERING PINES CMTRY RD
CONROE TX 77303-3994

WILLIAM C QUIMM
3032 MEADOR LN
CONROE TX 77303-2366

MELINDA & MICHAEL W PARKER
921 BROWN RD
WILLIS TX 77378-2624

BILLY PICKERING
15458 TREE MONKEY RD
CONROE TX 77303-4854

KELLY RADMANOVICH
21323 BIG BUCK DR
CLEVELAND TX 77328

MILORAD RADMANOVICH
21323 BIG BUCK DR
CLEVELAND TX 77328

ROBERT REAM
20000 MEADOW LAKE RD
CLEVELAND TX 77328-2696

DIANA RICHMOND
5402 PINE SHADOWS RD
CLEVELAND TX 77328-5700

CAROLYN SUE & LAWRENCE A RAINS
5800 PINE SHADOWS RD
CLEVELAND TX 77328-5701

LISA REASOR
13060 SANDCHESTER TRL
CONROE TX 77306-5676

CLARA RIGGINS
16604 HIGHLINE BLVD
CONROE TX 77306-6039

L A RAINS
5800 PINES MEADOWS
CLEVELAND TX 77328

CHARLES REED
4231 WEIR RD
CLEVELAND TX 77328-7251

EMMER & ROBERT RIGGINS
22910 HAUSWORTH CT
SPRING TX 77373-7916

FRANSISCO RAMIREZ
17417 WHITE OAK ORCH
CONROE TX 77306-6175

KELLY REED
4231 WEIR RD
CLEVELAND TX 77328-7251

LARRY RIGGINS
16604 HIGHLINE BLVD
CONROE TX 77306-6039

GERALDO RAMIREZ
7433 CROCKETT MARTIN RD
CONROE TX 77306-6031

DANIELLE & PAUL D REICH
19164 OAKRIDGE DR
CLEVELAND TX 77328-2692

ED RINEHART
PO BOX 84
NEW CANEY TX 77357-0084

GREGORIA RAMIREZ
2433 CROCKETT MARTIN RD
CONROE TX 77306-6276

LOIS REISZNER
17978 VILLAGE WAY
CONROE TX 77302-6429

SCOTTY ROBINSON
15733 1ST ST
SPLENDORA TX 77372-4048

RAQUEL RAMIREZ
2433 CROCKETT MARTIN RD
CONROE TX 77306-6276

DAVID Y RENDON
19731 MEADOW LAKE RD
CLEVELAND TX 77328-2659

AGNES & EDDIE E ROGERS
7480 ADCOCK ACRES DR
CONROE TX 77303-4004

TOMAS RAMIREZ
2433 CROCKETT MARTIN RD
CONROE TX 77306-6276

DAVID RENDON
19731 MEADOW LAKE RD
CLEVELAND TX 77328-2659

TERRY E ROLLINS
561 COBURN RD
CLEVELAND TX 77328-2505

JESSICA & LARRY RANCHER
14824 ROSEBUD LN
CONROE TX 77303-3360

LINK RENEAU
1640 N WALKER RD
CLEVELAND TX 77328-2335

MARIA RONBERG
18720 OAKRIDGE DR
CLEVELAND TX 77328-2669

PATRICIA REAM
20000 MEADOW LAKE RD
CLEVELAND TX 77328-2696

CHARLES E RICHMOND
5402 PINE SHADOWS RD
CLEVELAND TX 77328-5700

STEPHEN RONES
22634 COMMUNITY DR
NEW CANEY TX 77357-4942

ALEXANDRA RONNGREN
199 EMERSON
CONROE TX 77306

EARLENE SANTO
11685 W LAKESHORE DR
CONROE TX 77303-3017

VINSON SEALY
6928 HIDDEN ACRES DR
CLEVELAND TX 77328-2620

DELORES ROOST
18770 OAKRIDGE DR
CLEVELAND TX 77328-2669

DAVID W SARGENT, JR
7986 ADCOCK ACRES DR
CONROE TX 77303-4014

JUDI SELF
11651 DOTY DR
CONROE TX 77303-3475

DANIEL & MARY ROSALES
16458 CROCKETT FOREST DR
CONROE TX 77306-6081

BOB & LYNDA SASSER
117 SHADOWOOD ST
CONROE TX 77304-1767

ALLEN SELPH
7044 N WALKER RD
CLEVELAND TX 77328-5732

PEDRO ROSALES
16381 CROCKETT FOREST DR
CONROE TX 77306-6082

CAROL SAXON
13921 HIGHWAY 105 W #138
CONROE TX 77304-5703

ALLEN & JOYCE SELPH
7044 N WALKER RD
CLEVELAND TX 77328-5732

JOHNNY ROTHE
15316 CAPITOL HILL RD
MONTGOMERY TX 77316-5245

BRENDA SCHANLT
6678 MAGNOLIA TRL
CONROE TX 77306-5740

R T SELPH
7058 N WALKER RD
CLEVELAND TX 77328-5732

S W RUTHERFORD
19208 STILLWOOD RD
CLEVELAND TX 77328-2521

RUSSEL SCHOONOVER
17162 OLD HIGHWAY 105 E
CONROE TX 77306-6105

ANITA SEVERA
11599 COON HOLLOW RD
CONROE TX 77306-7733

ALAN B SADLER
COUNTY JUDGE, COMMISSIONERS CT OF
MONTGOMERY CNTY
301 N THOMPSON ST STE 210
CONROE TX 77301-2888

ALAN SCHULER
20615 GINGER MEADOW LN
CLEVELAND TX 77328-2953

ANITA & RICHARD SEVERA
11599 COON HOLLOW RD
CONROE TX 77306-7733

LAMONT L SAM
23059 SHARP RD
MONTGOMERY TX 77356-6443

MR & MRS SCHULMIRE
12 CEDAR CREST ST
MONTGOMERY TX 77316-4405

VERA SHAFER
10696 WAUKEGAN RD
CONROE TX 77306-6828

DAVID SAMS
23489 HARGRAVE RD
HOCKLEY TX 77447-5104

GORDON & JERRI SEALY
7153 GREENWOOD DR
CLEVELAND TX 77328-9442

R F SHANNON
5825 SAMPLEY WAY
HOUSTON TX 77092-1430

MARUEA SANGSTEAR
7489 FOREST HILLS DR
MONTGOMERY TX 77316-9283

JERRI SEALY
7153 GREENWOOD DR
CLEVELAND TX 77328-9442

MELVIN SHARPE
8450 ADCOCK ACRES DR
CONROE TX 77303-4066

FRANCES SHEPPARD
5480 GREENWOOD DR
CLEVELAND TX 77328-9404

CASSIE & JAMES SMITH
7678 N WALKER RD
CLEVELAND TX 77328-5729

ROBERT SMITH
15378 JODY LN
CONROE TX 77303-3920

BRAD SHRIVE
16066 FM 1484 RD
CONROE TX 77303-4130

CHARLEY F SMITH
208 MOSS HILL LN
CONROE TX 77303-1745

HERB E SOMPLASKY
19524 MEADOW LAKE RD
CLEVELAND TX 77328-2653

PAUL SIMMONS
18597 PARKER RD
CLEVELAND TX 77328-9520

JAREN & LOGANN SMITH
15787 MILLER RD
CONROE TX 77303-4935

NIKKI SOMPLASKY
19524 MEADOW LAKE RD
CLEVELAND TX 77328-2653

STEPHANIE SIMMONS
18597 PARKER RD
CLEVELAND TX 77328-9520

JERRIE SMITH, I
11681 DOTY DR
CONROE TX 77303-3475

KATHRYN SPORE
11272 HWY 105 E
CLEVELAND TX 77328

TRACEY SIMONSEN
13380 LAKE BREEZE LN
WILLIS TX 77318-5324

JOHN B SMITH
15787 MILLER RD
CONROE TX 77303-4935

JAN & RONALD STALLWORTH
20393 MEADOW LAKE RD
CLEVELAND TX 77328-2665

BOB SINGLETON
8648 SERENITY CT
WILLIS TX 77378-5881

JOHN & LEAH SMITH
15787 MILLER RD
CONROE TX 77303-4935

GEORGE STANDLEY
6342 GREENWOOD DR
CLEVELAND TX 77328-9405

JAMES SINGLETON
406 N WALKER RD
CLEVELAND TX 77328-2315

KEVIN SMITH
18135 HOWARDS WAY
CONROE TX 77306-8497

LINDA & RICKY STANDLEY
6342 GREENWOOD DR
CLEVELAND TX 77328-9405

JAMES SINGLETON
18463 THOMAS ST
CLEVELAND TX 77328-6313

LEAH D SMITH
15787 MILLER RD
CONROE TX 77303-4935

LINDA STANDLEY
6342 GREENWOOD DR
CLEVELAND TX 77328-9405

CIARA SMALLING
410 N WALKER RD
CLEVELAND TX 77328-2315

LOGANN SMITH
15787 MILLER RD
CONROE TX 77303-4935

RICKY STANDLEY
6342 GREENWOOD DR
CLEVELAND TX 77328-9405

SHERRY SMALLING
308 KINSMAN RD
CLEVELAND TX 77328-2507

RICHARD B SMITH
18678 PARKER RD
CLEVELAND TX 77328-9518

NICK STEELE
4112 PINE RD
CLEVELAND TX 77328-9545

DAVID L STEGENGA
6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

COLETTE TALBERT
5848 ROLLINGHILLS RD
CONROE TX 77303-5178

FLOYD TEMPLE
11631 FM 830 RD
WILLIS TX 77318-5556

LINDA K STEGENGA
CAML
6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

JOSEPH TANSEU
18531 THOMAS ST
CLEVELAND TX 77328-6314

MAXEY THARP
20020 SECURITY WAY
CLEVELAND TX 77328-6429

NANCY A STEWARD
77328 N WALKER
CLEVELAND TX 77328

DAVID TATE
15378 JODY LN
CONROE TX 77303-3920

KEITH A THERIOT
619 GILPIN ST
HOUSTON TX 77034-2013

NANCY STEWARD
7759 N WALKER RD
CLEVELAND TX 77328-5750

JOHN D & RHONDA S TATE
15378 JODY LN
CONROE TX 77303-3920

AMY THOMAS
18707 PALM BEACH BLVD
MONTGOMERY TX 77356-4788

THOMAS E STEWARD
7759 N WALKER RD
CLEVELAND TX 77328-5750

RHONDA S TATE
15378 JODY LN
CONROE TX 77303-3920

HAILEY THOMAS
15511 TREE MONKEY RD
CONROE TX 77303-4861

CONNIE STIPANIC
1655 ACORN PL
CLEVELAND TX 77328-2305

HW TAYLOR
10094 HIDDEN ACRES DR
CLEVELAND TX 77328-2649

PAT THOMAS
9060 VAL VERDE WAY
WILLIS TX 77378-4819

BENNETT STONE
11272 HWY 105 E
CLEVELAND TX 77328

JOYCE TAYLOR
3163 N DUCK CREEK RD
CLEVELAND TX 77328-5833

TRACIE THOMAS
15904 MILLER RD
CONROE TX 77303-4938

BRYAN STUART
71 PARK CIR
MONTGOMERY TX 77356-5924

CLAUDE A TEAL
9813 IBIS LN
CONROE TX 77385-3420

JANICE THOMASON
45 ARTESIA
CONROE TX 77304-2525

GARY M & SANDRA J SULLIVAN
1922 HUNNINGTON DR
CONROE TX 77303-1834

ADRIADNA NATALIA TEAPILA
15467 JODY LN
CONROE TX 77303-3923

BILLY THOMPSON
3803 MILLER RD
CLEVELAND TX 77328-2920

DONNIE & REBECCA SUTTON
19064 FM 1484 RD
CONROE TX 77303-4743

DEBRA TEEKAMP
3925 WOODPECKERS GRV
CLEVELAND TX 77328-2678

KENNETH THOMPSON
459 COBURN RD
CLEVELAND TX 77328-2504

SCOTT THOMPSON
7806 MARY KATHERYNS XING
CONROE TX 77304-4979

ROSS TUFF
1745 HAZELWOOD ST
CONROE TX 77301-4032

JOHN VICKERY
222 SALEM CHURCH RD
WILLIS TX 77378-2404

SHERI THOMPSON
3803 MILLER RD
CLEVELAND TX 77328-2920

STAN TULLY
10414 GREENRIDGE RD
CONROE TX 77303-4206

MARIA VICKERY
222 SALEM CHURCH RD
WILLIS TX 77378-2404

TODD THOMPSON
19715 OLD HIGHWAY 105
CLEVELAND TX 77328-6417

JASON TURNER
410 N WALKER RD
CLEVELAND TX 77328-2315

PH VICKEY
PO BOX 2024
PORTER TX 77365-2024

JACK S TORRENCE
2424 COACHLIGHT LN
CONROE TX 77384-3347

JASON TURNER
7233 S FORK DR
CONROE TX 77303-4035

CANDACE VILLARREAL
21 KENSINGTON CT
CONROE TX 77304-2707

MARCIA TOWNSEND
5862 FM 1374 RD
NEW WAVERLY TX 77358-3922

SANDRA TURNER
410 N WALKER RD
CLEVELAND TX 77328-2315

FAUSTINO D VILLARREAL
21 KENSINGTON CT
CONROE TX 77304-2707

DEBRA TRAMMEL
PO BOX 1261
SPLENDORA TX 77372-1261

BARB & MR DICK VAN LIEW
16410 TREE MONKEY RD
CONROE TX 77303-4958

YVONNE P VILLARREAL
12672 OAK LEAF RD
CONROE TX 77303-5254

H EUGENE TRAMMEL
PO BOX 1261
SPLENDORA TX 77372-1261

JESSIE VAN LIEW
16410 TREE MONKEY RD
CONROE TX 77303-4958

ASHLEA VYORAL
16183 TREE MONKEY RD
CONROE TX 77303-4955

JOSH TRAVESSE
10616 CHAMPION FOREST LOOP
CONROE TX 77303-3732

DANIEL P VARGAS
7925 CROCKETT MARTIN RD
CONROE TX 77306-6061

DOUG VYORAL
16183 TREE MONKEY RD
CONROE TX 77303-4955

GORDON TROTT
9984 HIDDEN ACRES DR
CLEVELAND TX 77328-2741

JIM VAUGHT
15868 MAGNOLIA PARK
CONROE TX 77306-6936

PAUL VYORAL
14180 MILLMAC RD
CONROE TX 77303-4586

KIMBERLY TROTT
9984 HIDDEN ACRES DR
CLEVELAND TX 77328-2741

MAX VICKERS
7167 KINGSTON COVE LN
WILLIS TX 77318-9189

MARGARET C WAGNER
5804 PINE SHADOWS RD
CLEVELAND TX 77328-5701

BILLY WAGNON
20798 RED OAK DR
CLEVELAND TX 77328-2934

LONI WALTERS
515 N MAGNOLIA DR
CONROE TX 77301-3259

SHAWN WATFORD
13685 TOMMY SMITH RD
CONROE TX 77306-8447

CHRIS WALKER
629 MOSSWOOD DR
CONROE TX 77302-1170

MICHAEL WALTON
8111 HIDDEN TRAIL LN
SPRING TX 77379-8719

JAMES R WATKINS
406 N WALKER RD
CLEVELAND TX 77328-2315

JOHNNY WALKER
10557 FM 1485 RD
CONROE TX 77306-7411

FAHAD WAQAS
2201 MONTGOMERY PARK BLVD APT 913
CONROE TX 77304-3570

JAMES WATKINS, JR
410 N WALKER RD
CLEVELAND TX 77328-2315

L R WALKER
9115 FOSTORIA RD
CLEVELAND TX 77328-6961

DANNY & DONNA WARNER
11450 DOTY DR
CONROE TX 77303-3547

JANICE WATKINS
406 N WALKER RD
CLEVELAND TX 77328-2315

R W WALKER
17020 SOLOMON ST
CLEVELAND TX 77328

DAVID & MARCIA WARNER
4275 JEANETTE LN
CONROE TX 77303-4878

SUE WAYFORD
15509 E WILLIAMS RD
CONROE TX 77303-3459

RACHEL WALKER
1435 RILEY FUZZELL RD
SPRING TX 77386-2712

JOHN & VICKIE WARNER
17941 FM 1484 RD
CONROE TX 77303-4739

DONNA WEAVER
16310 WEAVER LN
CONROE TX 77303-4218

TAMMY WALKER
12851 SHORELINE DR
MONTGOMERY TX 77356-2170

BECKIE WARREN
15284 WHITE OAK LN
CONROE TX 77303-3962

RANDALL WEAVER
16310 WEAVER LN
CONROE TX 77303-4218

JAMES E WALKINSHAW, JR
5821 PINE SHADOWS RD
CLEVELAND TX 77328-5712

PAULA WARREN
15284 WHITE OAK LN
CONROE TX 77303-3962

JACLYN & JORDAN WEDGEWOOD
14401 CREIGHTON RD
CONROE TX 77302-6039

BOBBY L WALTERS
19188 MEADOW LAKE RD
CLEVELAND TX 77328-2650

SHANNON WARREN
16878 CANARY ST
CONROE TX 77385-3407

JIMMY WEEKS
805 WAUKEGAN RD
CONROE TX 77306-5797

DEBRA WALTERS
19188 MEADOW LAKE RD
CLEVELAND TX 77328-2650

CYNTHIA WATFORD
13685 TOMMY SMITH RD
CONROE TX 77306-8447

ANGELA WELCH
3161 WALKER RD
CONROE TX 77303-4968

CLIFFORD WELCH
382 KINSMAN RD
CLEVELAND TX 77328-2507

EDWARD E WERNER
PO BOX 58
MILES TX 76861-0058

JAMES WILLIAMS
2304 PINE RD
CLEVELAND TX 77328-9524

CRAIG WELCH
24639 LAKEWOOD DR
SPLENDORA TX 77372-3843

JOHN & VICKIE WERNER
17971 FM 1484 RD
CONROE TX 77303-4739

JOE WILLIAMS
10377 S WILLIAMS RD
CONROE TX 77303-4255

DALE & KAREN WELCH
2791 N WALKER RD
CLEVELAND TX 77328-2344

JANET WESTBROOK
12565 ROBIN LN
WILLIS TX 77378-4747

LACEY WILLIAMS
2061 N WALKER RD
CLEVELAND TX 77328-2341

DALE WELCH
2791 N WALKER RD
CLEVELAND TX 77328-2344

JODY WESTRA
2039 MANN RD
CONROE TX 77303-4519

DAVID E WILSON
13865 AUSTIN MCCOMB RD
MONTGOMERY TX 77316-2423

DEBORAH WELCH
20973 HIGHWAY 105
CLEVELAND TX 77328-6136

ANNETTE WHITE
10625 NEWTON CIR
CONROE TX 77303-3235

DIANE A WILSON
13865 AUSTIN MCCOMB RD
MONTGOMERY TX 77316-2423

JIMMIE C WELCH
486 KINSMAN RD
CLEVELAND TX 77328-2508

MARK WIGGINS
17416 CASTLEWOOD DR
CONROE TX 77306-7623

HERSCHEL R WILSON
19144 HIGHWAY 105
CLEVELAND TX 77328-2421

JOHN L WELCH
2787 N WALKER RD
CLEVELAND TX 77328-2344

MICHAEL WILKINSON
15421 ARROWHEAD LOOP W
WILLIS TX 77378-3613

WILLIAM WINTERS
115 SEMINOLE DR
MONTGOMERY TX 77316-6179

KAREN J WELCH
2791 N WALKER RD
CLEVELAND TX 77328-2344

CHARLOTTE WILLIAMS
2304 PINE RD
CLEVELAND TX 77328-9524

SHANNON WINTON
597 SPRUCE DR
CONROE TX 77302-1098

SANDY WELCH
24639 LAKEWOOD DR
SPLENDORA TX 77372-3843

ESTHER WILLIAMS
254 WESTCOTT ST
HOUSTON TX 77007-7004

DALTON WOOLERY
2927 S DUCK CREEK RD
CLEVELAND TX 77328-6710

HEATH WELLS
11743 E OLD OAK TRL
WILLIS TX 77378-3975

JAMES S WILLIAMS
2304 PINE RD
CLEVELAND TX 77328-9524

JACKIE WOYCHESIN
7627 GREENWOOD DR
CLEVELAND TX 77328-9423

JACQUELINE WOYCHESIN
7627 GREENWOOD DR
CLEVELAND TX 77328-9423

PATTY ZARATE
17255 WHITE OAK ORCH
CONROE TX 77306-6173

HEATHER ADAMS
1001 ADAMS LN
NEW WAVERLY TX 77358-5120

RICKY WOYCHESIN
7627 GREENWOOD DR
CLEVELAND TX 77328-9423

KAREN ZELLER
PO BOX 7348
CONROE TX 77306-0348

HEATHER ADAMS
2012 ACORN PL
CLEVELAND TX 77328-2304

CHARLES W YAWN
PO BOX 7092
CONROE TX 77306-0092

PAUL ZYLMAN
2388 N WALKER RD
CLEVELAND TX 77328-2349

JENNIFER & WESLEY T ADKINS
4451 FOREST DR
CLEVELAND TX 77328-2740

SERCY YAWN
1285 HALES RD
CLEVELAND TX 77328-3028

THE HONORABLE KEVIN BRADY
ATTN HEATHER MONTGOMERY, US HOUSE OF
REPRESENTATIVES
200 RIVER POINTE DR STE 304
CONROE TX 77304-2814

MARIA I AGUILAR
4003 LONGMIRE RD APT 137
CONROE TX 77304-4019

BANICA YOUNG
120 TOLEDO ST
CONROE TX 77301-2044

THE HONORABLE BRANDON CREIGHTON
PO BOX 2910
AUSTIN TX 78768-2910

ALLEN ALEXANDER
201 WHISKEY CREEK LN
CLEVELAND TX 77328-3803

BUBBA YOUNG
390 SCARLETT DR
SHEPHERD TX 77371-3336

THE HONORABLE RUBEN HOPE, JR
PO BOX 310 ATTN LINDA NORTH
CONROE TX 77305-0310

CRISANDRA & KESHIA ALLEN
19520 MEADOW LAKE RD
CLEVELAND TX 77328-2653

JULIANNE YOUNG
8086 ADCKOCK ACRES DR
CONROE TX 77303-4016

THE HONORABLE ROBERT L NICHOLS
TEXAS STATE SENATE
PO BOX 12068
AUSTIN TX 78711-2068

LEILANI ALLEN
1001 LONGMIRE RD
CONROE TX 77304-1826

LILA YOUNG
2003 FM 3081 RD
WILLIS TX 77378-2827

THE HONORABLE TODD STAPLES
TEXAS SENATE
PO BOX 12068
AUSTIN TX 78711-2068

ENEDINA ALVAREZ
17213 DROWSY PNES
CONROE TX 77306-6122

RAY YOUNG
21710 ARLENE DR
MAGNOLIA TX 77355-5312

DANA ABERNATHY
5210 FM 3081 RD
WILLIS TX 77378-2886

KATRINA ALVERDEZ
20740 OLD HOUSTON RD
PORTER TX 77365-3036

RICHARD YOUNG
24789 WATSON RANCH RD
MONTGOMERY TX 77356-6456

KIMMY ABRAMSON
7791 HIDDEN ACRES DR
CLEVELAND TX 77328-2631

JANET ANDERSON
15321 HOLLY LN
CONROE TX 77303-3915

RON ARMACOST
2008 NORTHAMPTON DR
CONROE TX 77303-1830

PAUL BACQUE
10180 CROCKETT MARTIN RD
CONROE TX 77306-7024

SERGIO BARRERA
11545 WREN RD
CONROE TX 77303-5097

CHARLES ARMSTRONG
401 BILLIE BESS LN
CONROE TX 77301-1349

BOB BAGLEY
15730 DEWBERRY LN
GRANGERLAND TX 77302-7514

PAUL BARRETTO
12672 OAK LEAF RD
CONROE TX 77303-5254

PAMELA ARMSTRONG
16533 EMERSON CIRCLE
CONROE TX 77306

SHANE BAKER
19160 MEADOW LAKE RD
CLEVELAND TX 77328-2650

WALTER C BASTEDO
3405 N OAK FOREST DR
CONROE TX 77303-4887

ED ARNOLD
15640 BRITTNEY LN
CONROE TX 77303-4870

MARTHA DIANE BALLARD
PO BOX 1285
CLEVELAND TX 77328-1285

JEREMY BEALL
3701 WOODPECKERS GRV
CLEVELAND TX 77328-2680

TARA ARNOLD
15640 BRITTNEY LN
CONROE TX 77303-4870

WILLIAM F BALLARD
PO BOX 1285
CLEVELAND TX 77328-1285

JEB BECKER
2367 APACHE BND
WILLIS TX 77378-3601

ELVIO ARRIETA
17269 SPANISH OAK
CONROE TX 77306-6166

KAREN BARFIELD
2010 N WALKER RD
CLEVELAND TX 77328-2350

THOMAS J BEERS
3375 N WALKER RD
CLEVELAND TX 77328-9557

DEANA ATCHLEY
2401 E DAVIS ST
CONROE TX 77301-7214

DAVID A BARGE
PO BOX 234
CONROE TX 77305-0234

BONNIE BELL
6219 GLENHILL DR
SPRING TX 77389-5224

MATHEW ATCHLEY
2401 E DAVIS ST
CONROE TX 77301-7214

DARRYL BARNHILL
17732 DOGWOOD DR
CONROE TX 77303-3204

CLIFFORD BELL
6219 GLENHILL DR
SPRING TX 77389-5224

BRENDA ATKINSON
5680 NEBRASKA RD
CLÉVELAND TX 77328-6524

LINDA BARNHILL
17732 DOGWOOD DR
CONROE TX 77303-3204

DEBBIE BELL
1407 RUNNING BEAR TRL
CROSBY TX 77532-3620

VALERIE ATKINSON
16071 TREE MONKEY RD
CONROE TX 77303-4954

JESSE BARRERA
1400 N 9TH ST
CONROE TX 77301-2010

DENICE BELL
7419 RAMBLEWOOD DR
MAGNOLIA TX 77354-5918

JEFF BELL
1407 RUNNING BEAR TRL
CROSBY TX 77532-3620

HELEN BLACKMAN
18459 THOMAS ST
CLEVELAND TX 77328-6313

RICHARD BOWERS
15936 PLASTER CIR
CONROE TX 77303-3324

JOSEPHINE BELL
5994 FOREST DR
CLEVELAND TX 77328-2606

JERRY BLACKMAN
18459 THOMAS ST
CLEVELAND TX 77328-6313

PHILLIP BRANCH
3300 N WALKER RD
CLEVELAND TX 77328-9556

RICHARD A BELL
7419 RAMBLEWOOD DR
MAGNOLIA TX 77354-5918

SANDRA BLACKMON
14100 KELLY RD
CONROE TX 77303-3163

BETH BRECHEEN
18673 FM 1484 RD
CONROE TX 77303-4777

STEVE BELL
1407 RUNNING BEAR TRL
CROSBY TX 77532-3620

REBECCA M BOLES
15676 FIREWOOD DR
CONROE TX 77303-4922

RICKY BRECHEEN
18673 FM 1484 RD
CONROE TX 77303-4777

KEITH BERGER
11164 NEWTON CIR
CONROE TX 77303-3244

LINDA S BONE
11358 SUMMITT DR
CONROE TX 77303-3482

CHARLES BREWER
11196 NEWTON CIR
CONROE TX 77303-3244

GARY BIDDLE
25034 W CHRISTINE DR
SPLENDORA TX 77372-3103

RANDY L BONE
11358 SUMMITT DR
CONROE TX 77303-3482

LARRY W BROOKS, JR
10373 LAKE SHORE DR
CONROE TX 77303-3927

BRUCE BISHOP
18456 DEER GLEN WEST DR
CONROE TX 77302-6873

VERDA BORTON
9500 N PINE GROVE RD
VESTABURG MI 48891-9524

JERRI BROWN
17420 FM 1484 RD
CONROE TX 77303-4728

CHARLES BISHOP
15720 FIREWOOD DR
CONROE TX 77303-4924

ALICIA BORUNDA
17537 SPANISH OAK
CONROE TX 77306-6252

LISA S BROWN
15845 FRANKLIN DR
CONROE TX 77303-4982

JACKIE BISHOP
15720 FIREWOOD DR
CONROE TX 77303-4924

VICTOR BORUNDA
17537 SPANISH OAK
CONROE TX 77306-6252

MIKE & PATTI BROWN
6580 FM 3081 RD
WILLIS TX 77378-2486

MARGARET BLACKBURN
10085 HIDDEN ACRES DR
CLEVELAND TX 77328-2648

DONALD & RODNEY BOWERS
3902 MARK LN
CONROE TX 77303-4828

PAM BROWN
17420 FM 1484 RD
CONROE TX 77303-4728

RHONDA BROWN
15179 HOLLY LN
CONROE TX 77303-3967

HEATHER BURRELL
1422 PRICE DR
CLEVELAND TX 77328-3047

SHELLY CARTWRIGHT
10285 IRON ORE RD
CONROE TX 77303-2411

RICK BROWN
17420 FM 1484 RD
CONROE TX 77303-4728

LOUIZA F BUSTAMANTE
17426 SPANISH OAK
CONROE TX 77306-6248

ROBERT CASEY
11239 CLINT PARKER RD
CONROE TX 77303-3103

RON BROWN
15179 HOLLY LN
CONROE TX 77303-3967

JAMES P BYRD
8627 S FORK DR
CONROE TX 77303-4063

LOUIS CASTANON
13960 EDEN LN
WILLIS TX 77378-5852

STEPHEN R BROWN
15845 FRANKLIN DR
CONROE TX 77303-4982

CARLOS CABRERA
1411 N ROBERSON ST
CONROE TX 77301-1874

AMARIAN CASTILLO
4052 W FOREST RD
CONROE TX 77306-1602

MITCHELL BRUCE
15941 MILLER RD
CONROE TX 77303-4939

RACHEL CALLAWAY
17280 OLD HIGHWAY 105 E
CONROE TX 77306-6106

IRMA RODRIGUEZ CAUSEY
12154 NICHOLSON RD
CONROE TX 77303-3816

TAMMY BRYANT
14932 COUNTRY WEST DR
CONROE TX 77302-6953

DELANO E CANALES
12915 ELROD ST
CONROE TX 77303-3657

PHILLIP CEMINO
6442 PINE SHADOWS RD
CLEVELAND TX 77328-5703

KITTY BULLOCK
2551 N WALKER RD
CLEVELAND TX 77328-2343

TED CANTU
16516 CROCKETT FOREST DR
CONROE TX 77306-6004

STEPHANIE CEMINO
6442 PINE SHADOWS RD
CLEVELAND TX 77328-5703

CHERYL J BURKS
5992 FOREST DR
CLEVELAND TX 77328-2606

SHARENE & WES CARR
15640 BRITNEY LN
CONROE TX 77303-4870

ELVIRA CERVANTEZ
17585 DEER RUN RD
CONROE TX 77306-6201

GEORGE D BURKS
5992 FOREST DR
CLEVELAND TX 77328-2606

DIANNIA CARTER
8892 ADCOCK ACRES DR
CONROE TX 77303-4020

FRANCISCO CERVANTEZ
17585 DEER RUN RD
CONROE TX 77306-6201

KEN BURLING
15451 BEN WIGGINS RD
CONROE TX 77303-4807

WILLIAM CARTER
8892 ADCOCK ACRES DR
CONROE TX 77303-4020

YOLANDA CERVANTEZ
17585 DEER RUN RD
CONROE TX 77306-6201

AGUSTIN CHACON
6383 E FOREST RD
CONROE TX 77306-6223

JAMES COKER
25650 INTERSTATE 45 APT 1802
SPRING TX 77386-0946

BRIAN CORMIER
14453 CEDAR LANE LOOP
MONTGOMERY TX 77316

CHRIS & DANA CHAFFEE
12086 CROCKETT MARTIN RD
CONROE TX 77306-7640

JOHN W COKER
813 SILVERDALE DR
CONROE TX 77301-4652

LORI COSBY
15294 MAGNOLIA PARK
CONROE TX 77306-6930

CHRIS CHAMBERS
9920 E SHORE DR
WILLIS TX 77318-6633

EVELYN A COLLINS
7052 PINE SHADOWS RD
CLEVELAND TX 77328-5705

CAROLYN COTTON
58 ELM WILLOW CT
THE WOODLANDS TX 77382-1037

JESSE & LYDIA CHAPE
14997 QUINETTE RD
CONROE TX 77302-7209

ROBERT W COLLINS
20726 RED OAK DR
CLEVELAND TX 77328-2934

FREDDIE E COUEY
14926 IMPERIAL VALLEY DR
HOUSTON TX 77060-5008

CYNTHIA CHENAULT
17228 FM 1484 RD
CONROE TX 77303-4726

FRED COLSTON, III
3519 KENTWOOD DR
SPRING TX 77380-1229

MARION C COUEY
14926 IMPERIAL VALLEY DR
HOUSTON TX 77060-5008

SHERMAN J CHENIER, SR
126 KELLYN OAKS DR
CONROE TX 77306-6342

MARY LEE COLSTON
3519 KENTWOOD DR
SPRING TX 77380-1229

CRYSTAL HOGAN CRAFT
15498 BEN WIGGINS RD
CONROE TX 77303-4806

DAVID E CHRISTENSEN
12851 WALCO HILLS DR
WILLIS TX 77378-7369

RONALD CONVERSE
179 ROLLING SPRINGS DR
MONTGOMERY TX 77356-8870

MICHAEL CRAFT
15498 BEN WIGGINS RD
CONROE TX 77303-4806

JAMES CLARK
10987 QUINLAN NORTH LAKE DR
CONROE TX 77303-3935

CLAUDEAN COOK
9211 GREENWOOD DR
CLEVELAND TX 77328-9430

BYARD CRANDALL
4047 N OAK FOREST DR
CONROE TX 77303-4848

JOHN M & SUE ELLEN CLEMENT
7748 N WALKER RD
CLEVELAND TX 77328-5751

JESSIE M COOPER
14900 COOPER LN
CONROE TX 77303-4719

LINDA KAY CRANDALL
4047 N OAK FOREST DR
CONROE TX 77303-4848

STEPHEN CLOSSON
11750 WHITE CEDAR ST
WILLIS TX 77318-7666

PENNY COOPER
16311 CROCKETT XING
CONROE TX 77303-4997

MARK CREMEANS
400 MAPLE LN
CONROE TX 77304-2520

STACY CREMEANS
400 MAPLE LN
CONROE TX 77304-2520

CHEVIS DODD
2514 ELLIS PARK LN
CONROE TX 77304-2924

JIM DOYLE
16728 BENDING OAKS
CONROE TX 77385-3600

PATRICIA CROFTON
3255 PINE RD
CLEVELAND TX 77328-9534

HEATHER DODSON
159 CROCKETT MARTIN N
CONROE TX 77303-5307

HATTIE DUNGAN
2030 PLANTATION DR
CONROE TX 77301-1061

MARY CUBILLAS
9754 DAW COLLINS RD
CLEVELAND TX 77328-6740

RENEE DONALD
11232 CREEK DR
CLEVELAND TX 77328-6807

DEAN R DUSK
GREENWOOD
CLEVELAND TX 77328

STORMY CURTNER-YOUNG
70 MEGAN LN
CLEVELAND TX 77328-9373

IVY DORSEY
PO BOX 15461
CONROE TX 77303

DEAN DUSKIN
17251 HOLLY GLN
CONROE TX 77306-6152

J M DABNEY
1630 ROLLINGHILLS RD
CONROE TX 77303-4622

ELIZABETH DOTSON
7576 GREENWOOD DR
CLEVELAND TX 77328-9417

MARGARETT DUSKIN
GREENWOOD ST
CONROE TX 77306

STEPHEN R DAUGHDRILL
1703 ACORN PL
CLEVELAND TX 77328-2306

ERIN DOTSON
7576 GREENWOOD DR
CLEVELAND TX 77328-9417

JANICE EDWARDS
1207 EAST AVE
CLEVELAND TX 77327-3819

TRAYTON DAVIS
87 W HONEY GROVE PL
THE WOODLANDS TX 77382-1649

LOU DOTSON
7576 GREENWOOD DR
CLEVELAND TX 77328-9417

ELISHA ELLIFF
2443 WESTHOFF CT
CONROE TX 77384-3366

DENNIS DAY
12290 DAY DR
CONROE TX 77303-5020

LISA DOUGHTY
11635 IDLEBROOK DR
HOUSTON TX 77070-2810

CYNTHIA ENLOE
18996 FM 1484 RD
CONROE TX 77303-4742

MARILEE DECKER
18395 OLD HIGHWAY 105
CLEVELAND TX 77328-6299

BARBARA & DAVID DOWDEN
8010 ADCOCK ACRES DR
CONROE TX 77303-4016

JAMES ERNST
PO BOX 814
CONROE TX 77305-0814

ROGER DELONG
15318 HOLLY LN
CONROE TX 77303-3914

PAUL DOWDEN
808 GLADSTELL RD APT 509
CONROE TX 77304-2781

ANDY ESPARZA
12500 MELVILLE DR STE C224
MONTGOMERY TX 77356-5243

JUDY ESPOSITO
10226 MONTANIO DR
NEW BRAUNFELS TX 78132-4565

WILLIAM P FERRER
9605 ADCOCK ACRES DR
CONROE TX 77303-4029

CLAUDIA FLORES
4052 W FOREST RD
CONROE TX 77306-1602

LEANNA EVANS
18724 OAKRIDGE DR
CLEVELAND TX 77328-2669

DALE FESSENDEN
5697 WHIPPORWILL RD
CONROE TX 77303-5087

JANET FLORES
4052 W FOREST RD
CONROE TX 77306-1602

LINDA EVANS
PO BOX 26
CONROE TX 77305-0026

BRIAN & JON FIFE
PO BOX 7355
CONROE TX 77306-0355

RALPH DRINKWATER FLOYD
20539 E HIGHWAY 105
CLEVELAND TX 77328-6114

K R EVERITT
15340 HOLLY LN
CONROE TX 77303-3914

MEL FIFE
PO BOX 7355
CONROE TX 77306-0355

EDGAR FOLNEY
4052 W FOREST RD
CONROE TX 77306-1602

KENNETH & MARY EVERITT
15340 HOLLY LN
CONROE TX 77303-3914

MARIA FIGUEROA
7090 W FOREST RD
CONROE TX 77306-6066

RACHEL FORD-DINGFIELD
6985 COUNTY ROAD 2252
CLEVELAND TX 77327-1263

CARRIE FARMER
16696 PAYNE RD
CONROE TX 77302-5375

DOROTHY FITCH
20722 RED OAK DR
CLEVELAND TX 77328-2934

CYNDI FOREMAN
12089 LA SALLE BR
CONROE TX 77304-4247

CANDIE FAUBION
12176 HIGHWAY 105 E
CONROE TX 77306-5303

EDWARD FITCH
20722 RED OAK DR
CLEVELAND TX 77328-2934

ALAN FORTENBERRY
18720 OAKRIDGE DR
CLEVELAND TX 77328-2669

THOMAS FAUBION
12176 HIGHWAY 105 E
CONROE TX 77306-5303

CHARLES FITZGERALD
PRES
19344 FM 1485 RD
NEW CANEY TX 77357-3746

BONNIE FOSTER
18484 THOMAS ST
CLEVELAND TX 77328-6309

KAREN FAULK
15318 HOLLY LN
CONROE TX 77303-3914

MARIETTA FLANAGAN
16342 HIGHLINE BLVD
CONROE TX 77306-6036

LEWIS FOSTER
18484 THOMAS ST
CLEVELAND TX 77328-6309

LUCRETIA FERNANDEZ
THE COURIER
100 AVENUE A
CONROE TX 77301-2946

AARON FLORES
4052 W FOREST RD
CONROE TX 77306-1602

JAMES E FRANCIS
3314 N OAK FOREST DR
CONROE TX 77303-4835

BILL FRANKS
12156 CROCKETT MARTIN RD
CONROE TX 77306-7641

REESE GARZA
18491 HIGHWAY 105
CLEVELAND TX 77328-2415

GABRIELA GONZALEZ
7025 CANCUN
CONROE TX 77306-7697

SUSAN K & WILLIAM FRANKS
12156 CROCKETT MARTIN RD
CONROE TX 77306-7641

LAN O GAYO
17325 SPANISH OAK
CONROE TX 77306-6167

GABRIELA GONZALEZ
17213 ROYAL COACH
CONROE TX 77306-6187

SHEILA FREEMAN
18604 CARROT ST
SPRING TX 77379-4941

EARL E GELSTON
52 WOODLAND HILL DR
CONROE TX 77303-1578

JACKALYNE GONZALEZ
17641 HUNTERS TRL
CONROE TX 77306-6239

KRYSTLE FUDGE
16335 CROCKETT XING
CONROE TX 77303-4997

VERNIE J GIBSON
5730 S DUCK CREEK RD
CLEVELAND TX 77328-6696

JESSICA GONZALEZ
17641 HUNTERS TRL
CONROE TX 77306-6239

MIGUEL A FUENTES
2502 I-45 N STE 21820
CONROE TX 77304

PATRICIA GIDDINGS
3575 MARK LN
CONROE TX 77303-4885

JUANA GONZALEZ
17641 HUNTERS TRL
CONROE TX 77306-6239

MARGARET FULLER
15515 JODY LN
CONROE TX 77303-3925

GISA R GILES
3314 N OAK FOREST DR
CONROE TX 77303-4835

JUDITH GONZALEZ
17641 HUNTERS TRL
CONROE TX 77306-6239

RUFINA GARAY
17450 SPANISH OAK
CONROE TX 77306-6248

DAN GLASSEL
819 INTERSTATE 45 S
CONROE TX 77301-4250

GABE GRANT
15596 INTERSTATE 45 S
CONROE TX 77384-4134

JESUS GARCIA
4051 WOODPECKERS GRV
CLEVELAND TX 77328-2677

LINDA L GOEBEL
400 LILLEY YEAGER LOOP N
CLEVELAND TX 77328-8174

BETTY GREGG
4530 WEIR RD
CLEVELAND TX 77328-6229

LARA GAREY
1401 RIMSTONE DR
CEDAR PARK TX 78613-7691

JERRY & MARIA GONZALES
15610 BEN WIGGINS RD
CONROE TX 77303-4810

DEBORAH GREGORY
12275 TWIN PINES RD
CONROE TX 77303-5011

DANA GARZA
18491 HIGHWAY 105
CLEVELAND TX 77328-2415

BONIFACIO GONZALEZ
17641 HUNTERS TRL
CONROE TX 77306-6239

JUANITA GREGORY
15260 MILLER RD
CONROE TX 77303-4830

MARK A GREGORY
15260 MILLER RD
CONROE TX 77303-4830

R P GROENHOF
20001 MEADOW LAKE RD
CLEVELAND TX 77328-2697

BARBARA HALES
1968 N WALKER RD
CLEVELAND TX 77328-2351

MIKE L GREGORY
200 E BRAZOSWOOD DR APT 2623
CLUTE TX 77531-3529

RANDY & SHERYL GROSS
8498 PINE SHADOWS RD
CLEVELAND TX 77328-5718

CLYDE WAYNE & MS JUDY HALES
15462 BEN WIGGINS RD
CONROE TX 77303-4806

NORMA GREGORY
3552 N OAK FOREST DR
CONROE TX 77303-4838

GRACIELA GUEVARA
1012 PLUM ST
CONROE TX 77301-4670

DONALD J HALES
1968 N WALKER RD
CLEVELAND TX 77328-2351

OZZIE GREGORY
3552 N OAK FOREST DR
CONROE TX 77303-4838

TIMMY GUY
12426 CARRIAGE LN
CONROE TX 77304-4170

ERNIE HALES
15450 BEN WIGGINS RD
CONROE TX 77303-4806

SUE GRIFFIN
10325 GREENRIDGE RD
CONROE TX 77303-4205

DIANE GUYNES
2610 KIMBERLY DAWN DR
CONROE TX 77304-5017

JAMES HALES
1968 N WALKER RD
CLEVELAND TX 77328-2351

BILLY W GRIMES, SR
10844 ROYAL PINES DR
CONROE TX 77303-2757

ASHLEY HA
16322 HICKORY RD
CONROE TX 77302-6200

BRANDON HALL
709 SADIE LN
CONROE TX 77303-5497

NANCY J GRIMES
10844 ROYAL PINES DR
CONROE TX 77303-2757

CHRIS' HAESCHE
4650 TIMOTHY LN
CONROE TX 77303-4984

JAMES F HALL
10351 LAKE SHORE DR
CONROE TX 77303-3927

GREGG GRINAGE
1 EMERALD LN
NEW WAVERLY TX 77358-3914

KEN HAGUE
15601 FM 974
BRYAN TX 77808-8773

MARGARET HALL
15249 HOLLY LN
CONROE TX 77303-3913

RACHAEL GRINAGE
1 EMERALD LN
NEW WAVERLY TX 77358-3914

EVAN HAHN
35519 MARK LN
CONROE TX 77303

BOBBY J HAM
15236 WHITE OAK LN
CONROE TX 77303-3962

BOBBIE R GROENHOF
20001 MEADOW LAKE RD
CLEVELAND TX 77328-2697

T HAINS
19996 FM 2090 RD
CONROE TX 77306-8421

DAWN HAM
15420 WHITE OAK LN
CONROE TX 77303

JEREMY HAM
15236 WHITE OAK LN
CONROE TX 77303-3962

ARTHUR R HARRIS
808 AVENUE L
CONROE TX 77301-3909

DAVID F HENDERSON
16258 STOLTJE DR
CONROE TX 77306-6922

REBECCA L HAM
15236 WHITE OAK LN
CONROE TX 77303-3962

KEN HARRIS
1011 BEACH AIRPORT RD
CONROE TX 77301-7115

ELIZABETH A HERBSTTRITT
16346 HIGHLINE BLVD
CONROE TX 77306-6036

ROBERT HAM
15240 WHITE OAK LN
CONROE TX 77303-3962

WYNNE HARRIS
9710 RODA DR
CONROE TX 77303-4363

MARITZA E HERNANDEZ
1112 N 9TH ST
CONROE TX 77301-2413

SHARON E HAM
15236 WHITE OAK LN
CONROE TX 77303-3962

LANA HARRISON
1975 OGRADY DR
CONROE TX 77304-1610

MELANIE HERNANDEZ
5458 GREENWOOD DR
CLEVELAND TX 77328-9404

KENNY HAMBY
3375 N WALKER RD
CLEVELAND TX 77328-9557

LINDA HAWTHORNE
1001 ADAMS LN
NEW WAVERLY TX 77358-5120

SANDRA & VICTORINO HERNANDEZ
506 WAGERS ST
CONROE TX 77301-4385

TRACY HAMILTON
18789 OAKRIDGE DR
CLEVELAND TX 77328-2668

RONALD HEADINGS
4681 GREENWOOD DR
CLEVELAND TX 77328-9413

SANJUANA HERNANDEZ
1113 13TH ST
GALENA PARK TX 77547-2507

JOAN HAMMOCK
1001 STEVENS AVE
CONROE TX 77301-1752

MICHELLE HEISE
599 MOSSWOOD DR
CONROE TX 77302-3709

PATTIE & TONY HERRIN
255 COUNTY ROAD 2198
CLEVELAND TX 77327-2901

LUINE HANCOCK
2040 N LOOP 336 W STE 107, BOX 7
CONROE TX 77304-3500

WAYNE HELMER
11526 COON HOLLOW RD
CONROE TX 77306-7732

RAY HERRIN
18906 OAKRIDGE DR
CLEVELAND TX 77328-9439

SUZANNE HANSEN
8964 GREENWOOD DR
CLEVELAND TX 77328-9436

CATHERINE & ROBERT HELTON
15732 HIGHWAY 105 E
CONROE TX 77306-5941

JAMES A HERRING
15173 HOLLY LN
CONROE TX 77303-3967

TOMMY HARDCASTLE
12955 WILLIS WAUKEGAN RD
CONROE TX 77303-4503

MARGARET HELTON
14191 CEDAR LANE LOOP
WILLIS TX 77378-4127

FRANK HERSOM
12235 CRICKET LN
CONROE TX 77303-5016

FRANK & MERYLNN HERSOM
12235 CRICKET LN
CONROE TX 77303-5016

JESSE L HOGAN
4001 PINE RD
CLEVELAND TX 77328-9532

RANDALL HYMAN
19188 FM 1484 RD
CONROE TX 77303-4744

SAM HICKMON
15249 HOLLY LN
CONROE TX 77303-3913

HAYDEN HOOD
10933 NEWTON CIR
CONROE TX 77303-3241

STEPHANIE HYMAN
19188 FM 1484 RD
CONROE TX 77303-4744

SUSAN HICKMON
15249 HOLLY LN
CONROE TX 77303-3913

DOROTHY HUDSON
12901 HIGHWAY 105 E
CONROE TX 77306-5343

ESPERANZA IRELAND
545 FM 1488 RD APT 2305
CONROE TX 77384-3964

MARGARET HIGHT
PO BOX 1101
NEW CANEY TX 77357-1101

EARLY HUDSON
12897 HIGHWAY 105 E
CONROE TX 77306-5342

DONNA ISBELL
3190 WEIR RD
CLEVELAND TX 77328-6226

CHRIS HIGHTOWER
9824 LONE OAK DR
CONROE TX 77303-2100

TIFFANEY HUGHBANKS
2061 N WALKER RD
CLEVELAND TX 77328-2341

DREXEL R ISBELL
2450 WINDING CREEK DR
TRINITY TX 75862-8289

RUSSELL HINDS
10735 MAGNOLIA DR
CONROE TX 77303-3223

LARRY HUGHES
13121 FM 1485 RD
CONROE TX 77306-7464

LENNETTE ISBELL
2450 WINDING CREEK DR
TRINITY TX 75862-8289

EVER HINOJOSA
17518 SHADOW LN
CONROE TX 77306-6243

LIZZIE HULSEY
15927 MAGNOLIA PARK
CONROE TX 77306-6947

JESUS JACOBO
658 CROCKETT MARTIN RD
CONROE TX 77306-6098

DOROTHY HINSLEY
13431 HIGHWAY 105 E
CONROE TX 77306-5348

RALPH HUNTER
PO BOX 3335
CONROE TX 77305-3335

CONNIE & FRANCISCO JIMENEZ
5436 JACK SPERA WAY
CLEVELAND TX 77328-2300

SHIRLEY HOAGLAND
12290 FM 3083 RD
CONROE TX 77301-6106

JOHN R HUTCHINSON
8042 GREENWOOD DR
CLEVELAND TX 77328-9437

RHONDA JANOSEC
15474 BEN WIGGINS RD
CONROE TX 77303-4806

JAMES HOGAN
15498 BEN WIGGINS RD
CONROE TX 77303-4806

MARY & ROBERT HUTSEAL
8122 N WALKER RD
CLEVELAND TX 77328-5727

NANCY JENKINS
4 WOODCREEK DR
WIMBERLEY TX 78676-3343

THOMAS JENKINS
4 WOODCREEK DR
WIMBERLEY TX 78676-3343

STEVEN JOHNSON
1200 N LOOP 336 W APT 42C
CONROE TX 77301-1001

JOHN E JORDAN
12442 MILROY LN
CONROE TX 77304-5160

GLORIA JENSEN
8122 N WALKER RD
CLEVELAND TX 77328-5727

DOTTIE JOHNSTON
289 MESA VW
MONTGOMERY TX 77316-2906

BRENDA S JORGENSEN
18100 HIGHWAY 105
CLEVELAND TX 77328-2401

LOUISE JESSIP
737 HOLLY SPRINGS DR
CONROE TX 77302-3777

JOE JOHNSTON
16754 FM 1484 RD
CONROE TX 77303-4168

SHELAGH KASINGER
1588 N WALKER RD
CLEVELAND TX 77328-2334

RACHEL JIMENEZ
120 PONDEROSA TRL
CONROE TX 77301-4510

ALLEN JONES
15283 HOLLY LN
CONROE TX 77303-3913

ANTHONY KEENER
7385 ADCOCK ACRES DR
CONROE TX 77303-4003

BUDDY JOHNSON
4798 CROCKETT MARTIN RD
CONROE TX 77306-6009

CHRISTINE JONES
15305 HOLLY LN
CONROE TX 77303-3915

DARLA KEENER
7385 ADCOCK ACRES DR
CONROE TX 77303-4003

CHARLIE JOHNSON
18648 FM 1484 RD
CONROE TX 77303-4767

JANET JONES
101 ELKINS LK
HUNTSVILLE TX 77340-7302

DONALD KEENER
7385 ADCOCK ACRES DR
CONROE TX 77303-4003

CHRISPEN JOHNSON
11091 NEWTON CIR
CONROE TX 77303-3243

JOHN E JONES
15283 HOLLY LN
CONROE TX 77303-3913

DUSTIN KEENER
7385 ADCOCK ACRES DR
CONROE TX 77303-4003

DARRELL JOHNSON
16746 FM 1484 RD
CONROE TX 77303-4168

KATHY TURNER JONES
GENERAL MANAGER, LONE STAR
GROUNDWATER CONSERVATION DISTRICT
PO BOX 2467
CONROE TX 77305-2467

LOUISE KELLY
2928 W GERONIMO TRL
CLEVELAND TX 77328-2808

PHILLIP JOHNSON
5425 TRENTON LN
CONROE TX 77303-4989

MARK JONES
291 MAGNOLIA RD
CLEVELAND TX 77328-5931

LARRY KENNEDY
1605 ACORN PL
CLEVELAND TX 77328-2305

RAYMOND & SUSANN JOHNSON
3411 CANDLERIDGE DR
SPRING TX 77388-5216

VIRGINIA JONES
15283 HOLLY LN
CONROE TX 77303-3913

MARTIN KENNEDY
11825 SAGITTARIUS DR E
WILLIS TX 77318-5181

WAYNE KILLEBREW
10138 BARBERRY ST
WILLIS TX 77318-7228

ALEXANDRIA & ANTONIA LACINA
PO BOX 1595
CONROE TX 77305-1595

LEONA LEE
7719 N WALKER RD
CONROE TX 77301

MALIA KING
2791 N WALKER RD
CLEVELAND TX 77328-2344

TASHA & WILL LACINA
PO BOX 1595
CONROE TX 77305-1595

CLIFFORD & LUANA LEFTWICH
15783 DEWBERRY LN
CONROE TX 77302-7515

MARYLOU KIRIES
UNKNOWN
ALBANY TX 76430

GISSEL LAGUNAS
17362 HUNTERS TRL
CONROE TX 77306-6155

SHEILA LEGG
541 TRAILS END DR
CLEVELAND TX 77328-5755

LAURIE KIRKLAND
18986 FM 1484 RD
CONROE TX 77303-4742

MATTIE L LAMBERT
15348 JODY LN
CONROE TX 77303-3920

ROBERT LEWELLEN
705 N RIVERSHIRE DR
CONROE TX 77304-2726

MART & PATTY L KLETCH
7409 ADCOCK ACRES DR
CONROE TX 77303-4005

SUSAN M LAMENDOLA
7041 PINE SHADOWS RD
CLEVELAND TX 77328-5708

ELSIE LEWIS
400 MAPLE LN
CONROE TX 77304-2520

JACOB W KOCUREK
1640 N WALKER RD
CLEVELAND TX 77328-2335

MONTE HARRIS LANE
2846 GREEN FOREST RD
CONROE TX 77303-5186

LEONARD RAY LEWIS
400 MAPLE LN
CONROE TX 77304-2520

JENNALEE KOCUREK
1588 N WALKER RD
CLEVELAND TX 77328-2334

SUSAN LANE
2846 GREEN FOREST RD
CONROE TX 77303-5186

DONALD LINDEMOOD
17635 ROYAL COACH
CONROE TX 77306-6267

JOSEPH KOCUREK
1640 N WALKER RD
CLEVELAND TX 77328-2335

JERRY LAWRENCE
16533 EMERSON CIRCLE
CONROE TX 77306

JOEY LITTLEFAIR
1207 N ROBERSON ST
CONROE TX 77301-1882

CHRISTI KWIATKOWSKI
12978 BROWDER TRAYLOR RD
WILLIS TX 77378-4108

RANDELL LE MAIRE
18190 DODD RD
CLEVELAND TX 77328-2326

TOMMY LITTLEFORD
5437 GREENWOOD DR
CLEVELAND TX 77328-9409

KENNETH KWIATKOWSKI
7338 CROCKETT MARTIN RD
CONROE TX 77306-6024

FRANK LEE
7719 N WALKER RD
CLEVELAND TX 77328-5750

MELODY LOGAN
3310 N WALKER RD
CLEVELAND TX 77328-9556

MELODY LOGAN
PO BOX 23
CONROE TX 77305-0023

DAVID LYNCH
4171 LYNCH RD
CLEVELAND TX 77328-2927

AMBER MCCLELLAND
541 TRAILS END DR
CLEVELAND TX 77328-5755

PENNY T LOHR
1482 KINGSWAY DR
CONROE TX 77304-1595

MARY E LYNCH
4155 LYNCH RD
CLEVELAND TX 77328-2927

ASHLEY MCCLELLAND
541 TRAILS END DR
CLEVELAND TX 77328-5755

JOSE LOPEZ
17450 SPANISH OAK
CONROE TX 77306-6248

CINDY MALONE
22 WINGED FOOT DR
CONROE TX 77304-1154

MIKE MCCLINTOCK
16862 PEACH CREEK DR
CONROE TX 77303-3420

JOHNNY LOVE
6662 CANYON WAY DR
HOUSTON TX 77086-1907

PAULA J MANN
20827 KEENAN CUT OFF RD
MONTGOMERY TX 77316-9364

LISA MCCLOY
15378 JODY LN
CONROE TX 77303-3920

JOYCE LOVELESS
12772 HIGHWAY 105 E
CONROE TX 77306-5309

DONALD MAPSTON
4421 JEANETTE LN
CONROE TX 77303-4819

JOHNNY R MCDANIEL
15349 HOLLY LN
CONROE TX 77303-3915

BILLY LUKASHEAY, JR
15242 HOLLY LN
CONROE TX 77303-3912

DOUG MAPSTON
15828 FIREWOOD DR
CONROE TX 77303-4926

LEONARD MCDONALD
18550 FM 1484 RD
CONROE TX 77303-4766

JOHNNIE LUKASHEAY
5975 W FOREST RD
CONROE TX 77306-6063

LINDA MARQUARDT
13304 OLD TEXACO CAMP RD
CONROE TX 77302-4690

SANDRA J MCDONALD
18550 FM 1484 RD
CONROE TX 77303-4766

MELISSA LUKASHEAY
15242 HOLLY LN
CONROE TX 77303-3912

BELINDA & C ANDREW MARTIN
15130 BART LAKE RD
CONROE TX 77303-3904

CHRISTOPHER T MCELROY
226 BUCKBOARD DR
HOUSTON TX 77060-4302

PAT LUKASHEAY
15365 HOLLY LN
CONROE TX 77303-3915

ANNIE MATTHEWS
2511 PARANA DR
HOUSTON TX 77080-3821

MIKE MCGILVREY
680 WOODRIDGE DR
CONROE TX 77306-4574

ANGUS LUPTON
REPRESENTATIVE FOR SENATOR TODD
STAPLES
2040 N LOOP 336 W STE 107
CONROE TX 77304-3580

BOBBY LEE MATTHEWS
233 SHADY ACRES DR
ZAVALLA TX 75980-7115

PATRICK MCGINTY
9650 ADCOCK ACRES DR
CONROE TX 77303-4028

BOBBIE & DENNIS MCNABB
3156 ROLLINGHILLS RD
CONROE TX 77303-4639

JANICE MENDOZA
3857 WANDA LN
CONROE TX 77303-4991

DAN MIZE
202 NORMA LN
CLEVELAND TX 77328-4502

BARBARA MECHE
7171 GREENWOOD DR
CLEVELAND TX 77328-9442

KASSIA MICEK
100 AVENUE A
CONROE TX 77301-2946

TIM MIZE
4097 PINE RD
CLEVELAND TX 77328-9532

MONIQUE E MEDRANO
501 ARANDA LN
CLEVELAND TX 77328-5805

DEBBIE MILDER
18814 FOREST DEER RD
HOUSTON TX 77084-2237

FRANCISCO MOCTEZUMA
7013 CANCUN
CONROE TX 77306-7697

JOSE MEJIA
17516 SPANISH OAK
CONROE TX 77306-6249

MIKE MILDER
18814 FOREST DEER RD
HOUSTON TX 77084-2237

GUILLERMO MOJENO
3446 S PINEBARK
CONROE TX 77303-5271

MARIA MEJIA
1834 S 3RD ST
CONROE TX 77301-5131

JOE MILLER
14 ROCKRIDGE DR
SPRING TX 77381-3218

PAULINE MOORE
15232 HOLLY LN
CONROE TX 77303-3912

ANDRES MENDIOLA
9694 ADCOCK ACRES DR
CONROE TX 77303-4028

MORRIS MILLER
10975 HILLCREST DR
CONROE TX 77303-3403

SHIRLEY MOORE
2817 JEFFCOTE RD
CONROE TX 77303-5141

ANDY MENDIOLA
9686 ADCOCK ACRES DR
CONROE TX 77303-4028

STEFANIE MILLER
15941 MILLER RD
CONROE TX 77303-4939

ROSA MORELOS
120 PIONEER LN
CLEVELAND TX 77328-2706

BRENDA MENDIOLA
9686 ADCOCK ACRES DR
CONROE TX 77303-4028

FRANKIE MILLEY
17060 CYPRESS CIR
CONROE TX 77302-6422

MARCELINO & SANDRA MORENO
5950 W FOREST RD
CONROE TX 77306-6062

GRACE MENDIOLA
9694 ADCOCK ACRES DR
CONROE TX 77303-4028

PEGGY MIMIER
16206 ESPINOSA DR
HOUSTON TX 77083-2810

B K MORGAN
10325 GREENRIDGE RD
CONROE TX 77303-4205

JENNIFER MENDIOLA
9694 ADCOCK ACRES DR
CONROE TX 77303-4028

MARIA MIRAMONTEZ
17379 HUNTERS TRL
CONROE TX 77306-6157

LINDA MORGAN
10325 GREENRIDGE RD
CONROE TX 77303-4205

MIKEL D MORRIS
2925 PAISLEY MEADOW DR
LEAGUE CITY TX 77573-4371

JANET MUSACHIO
12536 ROYAL WEST DR
CONROE TX 77303-2643

JAMES NEWTON
14077 BAZELL LN
WILLIS TX 77318-3303

STEPHEN MORRIS
17180 OLD HIGHWAY 105 E
CONROE TX 77306-6105

CHARLIE MUSGROVE
17786 FM 1484 RD
CONROE TX 77303-4780

DEBORAH NOBLE
1777 ACORN PL
CLEVELAND TX 77328-2306

KELLI & LEE MOULDER
3124 PINE RD
CLEVELAND TX 77328-9528

GORDON MYERS
3757 1/2 WALKER RD
CONROE TX 77303-4915

LESLIE K NORMAN
16369 CROCKETT XING
CONROE TX 77303-4998

KAY BELL MUDD
1822 COUNTY ROAD 64
ROSHARON TX 77583-5106

CELESTE NANCE
1 DOVER DR
CONROE TX 77304-2747

STEPHEN NORRIS
17180 OLD HIGHWAY 105 E
CONROE TX 77306-6105

MAY MUELLER
212 WELLWOOD LN
CONROE TX 77304-2524

CRYSTAL NEAL
18205 OLD HIGHWAY 105
CLEVELAND TX 77328-6708

BOBBY NOVAKOSKY
18724 OAKRIDGE DR
CLEVELAND TX 77328-2669

PATTY B & RICHARD E MULLINAX
5998 FOREST DR
CLEVELAND TX 77328-2606

JULIA & MAX NEELY
PO BOX 684
PORTER TX 77365-0684

JULIA NOVAKOSKY
11677 CREEK GATE RD
CONROE TX 77385-6021

RICHARD E MULLINAX
5998 FOREST DR
CLEVELAND TX 77328-2606

THOMAS NEITZEL
5 WELLINGTON LN
CONROE TX 77304-1321

SANDRA NUBER
14234 WOODCREST LN
CUT N SHOOT TX 77306

ANDREW MULOCK
15232 HOLLY LN
CONROE TX 77303-3912

ELLEN NELSON
7382 TRAYLOR LN
CONROE TX 77303-4180

DENNISE E ONEIL
4298 PINE RD
CLEVELAND TX 77328-9544

MELINDA MULOCK
15232 HOLLY LN
CONROE TX 77303-3912

LOIS NELSON
12355 FM 3083 RD
CONROE TX 77301-6115

DENNISE ONEIL
1498 PINE RD
CLEVELAND TX 77328

ANITA MURPHY
1109 BYRDSOONG CT
CONROE TX 77301-3101

SHARON P NELSON
7382 TRAYLOR LN
CONROE TX 77303-4180

TED ORR
14704 FM 1484 RD
CONROE TX 77303-4148

DEBORAH A ORTEGA
10823 E IDLEWOOD DR
LA PORTE TX 77571-4365

CHRIS PERRY
792 N WALKER RD
CLEVELAND TX 77328-2318

RICKY PLUMMER
1922 HUNNINGTON DR
CONROE TX 77303-1834

HILARIA ORTEGA
18676 OAKRIDGE DR
CLEVELAND TX 77328-2957

JOYCE PETERSON
527 ALANA LN
SPRING TX 77386-1219

GWYNETH & THOMAS POOLE
5988 FOREST DR
CLEVELAND TX 77328-2606

RICHARD ORTEGA
18676 OAKRIDGE DR
CLEVELAND TX 77328-2957

MARY PHILLIPS
1679 ACORN PL
CLEVELAND TX 77328-2305

THOMAS G POOLE
5988 FOREST DR
CLEVELAND TX 77328-2606

SAMANTHA ORTEGA
18676 OAKRIDGE DR
CLEVELAND TX 77328-2957

ROXANNE PICKERING
15458 TREE MONKEY RD
CONROE TX 77303-4854

MELANIE PORROVECCHIO
549 FM 3083 RD
CONROE TX 77301-6433

RAY OVERTON
3801 MARK LN
CONROE TX 77303-4827

BARNEY PIERCE
5975 W FOREST RD
CONROE TX 77306-6063

THERESA PORTILLO
16704 GREAT OAKS DR
CONROE TX 77385-4523

MARY PAGE
PO BOX 7007
CONROE TX 77306-0007

JOE ANN PISCIELLA
12880 CRYSTAL TRL
CONROE TX 77306-5600

CHARLES R POWELL
14887 ROBINS NEST RD
MONTGOMERY TX 77356-7120

ADELLE PARSHALL
3383 BRAZEWELL RD
CLEVELAND TX 77328-9509

SEFRONIA PITTMAN
7991 GREENWOOD DR
CLEVELAND TX 77328-9421

KRISTY POWELL
14887 ROBINS NEST RD
MONTGOMERY TX 77356-7120

RIC PARSLEY
9701 LANTERN CREEK CT
CONROE TX 77303-7206

MARK E PLANK
16140 CREIGHTON RD
CONROE TX 77302-6024

SUSAN POWELL
14887 ROBINS NEST RD
MONTGOMERY TX 77356-7120

EDWARD PARTEN
TX BLACK BASS UNLIMITED
1102 LISA LN
HUMBLE TX 77339-3430

CATHRIN M PLASTER
7838 HIDDEN ACRES DR
CLEVELAND TX 77328-2641

SKIP PRATT
PO BOX 2431
FREEPORT TX 77542-2431

RANDY PATRICK
1411 CYPRESS COVE ST
LA PORTE TX 77571-6235

HOMER R PLASTER
7838 HIDDEN ACRES DR
CLEVELAND TX 77328-2641

DOROTHY JOAN PULLEY
21 R HALES RD
WILLIS TX 77378-2805

SHIRLEY & SIGMOND PZYLIORSLIE
1919 CRYSTAL FOREST DR
CONROE TX 77306-5641

JASON REAVES
6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

JOSE A REYES
403 LONGMIRE RD APT 137
CONROE TX 77304-2009

LARRY RAINS
5800 PINE SHADOWS RD
CLEVELAND TX 77328-5701

KEVIN REECE
91 REECE LN
HUNTSVILLE TX 77340-2554

NORMO REYES
1101 WILSON RD APT 807
CONROE TX 77301-1601

CHRISTIAN RAMIREZ
17213 DROWSY PNES
CONROE TX 77306-6122

SANDY RELANDER
3521 WOODPECKERS GRV
CLEVELAND TX 77328-2682

CLELIA REYNA
520 TURNER ST
CONROE TX 77301-2609

FRANCISCO RAMIREZ
17213 DROWSY PNES
CONROE TX 77306-6122

BETH RENEAU
3 ROBIN TRL
CONROE TX 77304-4878

JULIE RICE
12150 LA SALLE OAKS
CONROE TX 77304-1382

ISABEL RAMIREZ
17213 DROWSY PNES
CONROE TX 77306-6122

JAMES RENEAU
15021 COUNTY LINE RD
WILLIS TX 77378-4053

ANTHONY & WENDY RICHARDSON
3556B N OAK FOREST DR
CONROE TX 77303-4838

KAREN RAMIREZ
17213 DROWSY PNES
CONROE TX 77306-6122

KYLE RENEAU
3 ROBIN TRL
CONROE TX 77304-4878

WENDY RICHARDSON
3556B N OAK FOREST DR
CONROE TX 77303-4838

LUCIANO RAMIREZ
3808 WOODPECKERS GRV
CLEVELAND TX 77328-2674

LEONA RENEAU
15021 COUNTY LINE RD
WILLIS TX 77378-4053

DAVID A & ROBBIN RICKARD
20726 RED OAK DR
CLEVELAND TX 77328-2934

OSCAR RAMIREZ
17213 DROWSY PNES
CONROE TX 77306-6122

LINK RENEAU
16173 TREE MONKEY RD
CONROE TX 77303-4955

PRISCILLA RIOS
8227 WILLOW PATH
TOMBALL TX 77375-5475

DELLANIRA RANGEL
4314 DURANT ST TRLR 19
DEER PARK TX 77536-6910

NORA RENTERIA
17420 ROYAL COACH
CONROE TX 77306-6241

MICHAEL H ROBERTS
1600 RIVER POINTE DR
CONROE TX 77304-2690

JENNIFER REAL
14777 CREIGHTON RD
CONROE TX 77302-6029

JOSE A REYES
1012 PLUM ST
CONROE TX 77301-4670

KAREN ROBINSON
20277 FIELDTREE DR
HUMBLE TX 77338-2344

THOMAS ROBINSON
20277 FIELDTREE DR
HUMBLE TX 77338-2344

SHELLY ROGERS
2324 SHADY PINE DR
CONROE TX 77301-3352

HECTOR & VICTORIA ROSAS
4500 W FOREST RD
CONROE TX 77306-6192

MARIAD ROBLEDO
17529 HUNTERS TRL
CONROE TX 77306-6238

JOHN ROMERO, JR
18523 FALCON CREST DR
HUMBLE TX 77346-8226

GINA ROSE
27 DEVONSHIRE DR
CONROE TX 77304-2745

JIM & JUDY ROCCO
11261 DAMICO LN
CONROE TX 77306-6967

LORRAINE ROMERO
18523 FALCON CREST DR
HUMBLE TX 77346-8226

JERRI ROSE
702 BOSTON CIR
CLEVELAND TX 77327-4168

ELVIRA RODRIGUEZ
17481 HUNTERS TRL
CONROE TX 77306-6237

JOYCE ROMIG
20511 LANDSHIRE DR
HUMBLE TX 77338-2251

JOHN RUSSELL
111 S DELMONT DR W
CONROE TX 77301-1386

DAVID R ROELLE
12945 WILLIS WAUKEGAN RD
CONROE TX 77303-4503

TOM D ROMIG
20511 LANDSHIRE DR
HUMBLE TX 77338-2251

JACK L SAFFORD
PO BOX 7388
CONROE TX 77306-0388

REBECCA A ROELLE
12945 WILLIS WAUKEGAN RD
CONROE TX 77303-4503

DANIEL & MARY ROSALES
16475 CROCKETT FOREST DR
CONROE TX 77306-6083

JOHN L SAFFORD
PO BOX 7388
CONROE TX 77306-0388

BILLY ROGACKI
16342 HIGHLINE BLVD
CONROE TX 77306-6036

ELIZABETH & FERNANDO ROSALES
16444 CROCKETT FOREST DR
CONROE TX 77306-6081

SCOTT SAIN
25670 GARDEN LN
CLEVELAND TX 77328-6820

EUGENE H ROGACKI
16346 HIGHLINE BLVD
CONROE TX 77306-6036

FERNANDO ROSALES
16444 CROCKETT XING
CONROE TX 77303-4999

MARIA SALAZAR
5896 W FOREST RD
CONROE TX 77306-6198

FRANCES H ROGACKI
16346 HIGHLINE BLVD
CONROE TX 77306-6036

PEDRO & REFUGIA ROSALES
16471 CROCKETT FOREST DR
CONROE TX 77306-6083

LUKE SALDANA
10527 SETTLERS XING
CONROE TX 77303-2544

BOBBY & FAITH ROGERS
8651 ADCOCK ACRES DR
CONROE TX 77303-4077

REFUGIA ROSALES
16471 CROCKETT FOREST DR
CONROE TX 77306-6083

DIANA SALINAS
17160 HOLLY GLN
CONROE TX 77306-6074

ERIC SALUS
16484 BRITTANY WAY
CONROE TX 77306-5949

JASON SEBREE
17292 OLD HIGHWAY 105 E
CONROE TX 77306-6106

JAMES SHROPSHIRE
1672 N WALKER RD
CLEVELAND TX 77328-2335

KERRI SAMPLE
15456 BEN WIGGINS RD
CONROE TX 77303-4806

ROBERT O SEBREE
17280 OLD HIGHWAY 105 E
CONROE TX 77306-6106

L SHUMMAY
PO BOX 7036
CONROE TX 77306-0036

MICHAEL E SAMPLE
15456 BEN WIGGINS RD
CONROE TX 77303-4806

LYNDLE SELF
7058 N WALKER RD
CLEVELAND TX 77328-5732

VICENTE V SIFUENTES
20172 SHERWOOD DR
CLEVELAND TX 77328-2825

MARIA SANTOYO
17438 WHITE OAK ORCH
CONROE TX 77306-6170

MURLEEN SELF
PO BOX 484
CROSBYTON TX 79322-0484

PATRICIA SIMMONS
9642 HINDO DR
CONROE TX 77303-7812

RITO SANTOYO
17438 WHITE OAK ORCH
CONROE TX 77306-6170

JOYCE SELPH
7044 N WALKER RD
CLEVELAND TX 77328-5732

SHERRY SMALLING
1881 S WALKER RD
CLEVELAND TX 77328-6330

LORAN SCHMIDT
6119 WILLOWCREST CT
SPRING TX 77389-4902

TRAVIS SELPH
7050 N WALKER RD
CLEVELAND TX 77328-5732

ABEL & PAUL SMERICA
21722 TOPHILL DR
SPRING TX 77388-2932

ROBERT K SCHRUPP
596 N WALKER RD
CLEVELAND TX 77328-2316

TAMARA SHERROUSE
1940 S DUCK
CLEVELAND TX 77328

CONSTANTIN SMERICA
21722 TOPHILL DR
SPRING TX 77388-2932

RUTH A SCHRUPP
596 N WALKER RD
CLEVELAND TX 77328-2316

BENJAMIN SHIELDS
210 TUPELO LN
CONROE TX 77304-2518

CASSANDRA SMITH
7678 N WALKER RD
CLEVELAND TX 77328-5729

HARLAN SCHUETTPELZ
9772 ADCOCK ACRES DR
CONROE TX 77303-4074

JOE SHIVERS, JR
13680 WOODLAND MANOR DR
WILLIS TX 77318-5472

JACKIE L SMITH
7627 GREENWOOD DR
CLEVELAND TX 77328-9423

ANGIE SEALS
16332 PLASTER CIR
CONROE TX 77303-3332

MICHELE SHRIEVE
16066 FM 1484 RD
CONROE TX 77303-4130

MELISSA SMITH
11835 BROWDER TRAYLOR RD
CONROE TX 77303-3369

NOVEL & VIRGINIA SNIDER
15450 BEN WIGGINS RD
CONROE TX 77303-4806

DONNYE SPRADLEY
160 APRIL WATERS DR N
MONTGOMERY TX 77356-5886

ROBERT L STEVENSON
495 KELLEY RD
CONROE TX 77303-4753

VIRGINIA SNIDER
15450 BEN WIGGINS RD
CONROE TX 77303-4806

MIKE SPROBA
12257 THOMPSON RD
WILLIS TX 77318-7565

DONALD J STOCKTON
3205 W DAVIS ST
CONROE TX 77304-2039

KEVIN A SOEDER
2419 CHANTILLY LN
CONROE TX 77384-3625

ANITA STALCUP
12275 TWIN PINES RD
CONROE TX 77303-5011

PETE STONE
16824 HIGHWAY 105 E
CONROE TX 77306-5942

MARION SOHL
10180 FAULKNER RD
CLEVELAND TX 77328-6749

KENNETH STALLING
12798 WOODCREEK DR
WILLIS TX 77318-4689

BARBARA STORRS
361 ROYAL OAKS ST
NEW CANEY TX 77357-2832

MARIA GRACIELO SOLIS
1503 VINE RD
CONROE TX 77301-4731

JASON STEITZ
500 NORTHWOOD DR
CONROE TX 77303-1757

JANITH STOWERS
1102 W TRI OAKS LN APT 108
HOUSTON TX 77043-4675

VIVIAN SOMERS
17505 FM 1484 RD
CONROE TX 77303-4736

NEVA STEM
10522 LAKE SHORE DR
CONROE TX 77303-3930

JOHNNIE STREET
PO BOX 8111
GRANGERLAND TX 77302-0111

EILEEN & HANK SOWELL
5903 BEE CREEK DR
WILLIS TX 77378-9564

ELKE STEPHENS
3946 MARK LN
CONROE TX 77303-4828

TERRI STREET
20667 OLD HIGHWAY 105
CLEVELAND TX 77328-6528

SIBYL SPENCE
10975 HILLCREST DR
CONROE TX 77303-3403

JOHN D STEPHENS
3946 MARK LN
CONROE TX 77303-4828

BRIAN SULLIVAN
625 WILSON RD APT 102
HUMBLE TX 77338-5024

JACK SPERA
PO BOX 1515
PAINESVILLE OH 44077-7377

LEAH STEPHENS
546 JUBAL EARLY LN
CONROE TX 77302-3048

NICOLE SULLIVAN
625 WILSON RD APT 102
HUMBLE TX 77338-5024

JACK SPERA
12056 FM 830 RD
WILLIS TX 77318-5544

THOMAS STEVENS
14424 ALLENDALE LN
CONROE TX 77302-4704

ELAINE SWAIM
7720 ADCKOCK ACRES DR
CONROE TX 77303-4010

MICHAEL SYKES
PO BOX 602
CONROE TX 77305-0602

JANET TROJANOWSKI
PO BOX 8041
GRANGERLAND TX 77302-0041

DAROLD & JANIS VANDEWERKER
3542 REAVES RD
CLEVELAND TX 77328-9547

CAREY THOMAS
27 LANCELOT LN
CONROE TX 77304-2709

ELEANOR TUPA
2024 N THOMPSON ST
CONROE TX 77301-1223

DEAN VANDEWERKER
3438 REAVES RD
CLEVELAND TX 77328-9546

VICKI THOMPSON
15695 MILLER RD
CONROE TX 77303-4933

AARON TURNER
7202 N WALKER RD
CLEVELAND TX 77328-5730

JANIS VANDEWERKER
3542 REAVES RD
CLEVELAND TX 77328-9547

DALE & NANCY R THRASHER
10192 WAUKEGAN RD
CONROE TX 77306-6823

JASON TURNER
406 N WALKER RD
CLEVELAND TX 77328-2315

MARIA VASQUEZ
16465 N EMERSON CIR
CONROE TX 77306-5948

JUAN CARLOS TORRES
151 KIM ST
SHEPHERD TX 77371-2391

SANDY TURNER
406 N WALKER RD
CLEVELAND TX 77328-2315

MANUEL VAZQUEZ
10289 CRESCENT DR
MONTGOMERY TX 77316-9226

LEANEL A TORRES
15660 BEN WIGGINS RD
CONROE TX 77303-4810

W J TURNER
7202 N WALKER RD
CLEVELAND TX 77328-5730

MARY VAZQUEZ
10289 CRESCENT DR
MONTGOMERY TX 77316-9226

JOHN TOWLE
PO BOX 3694
CONROE TX 77305-3694

WOODROW JACK TURNER
2202 NORTH WALKER
CLEVELAND TX 77327

MELINDA VEGA
16516 CROCKETT FOREST DR
CONROE TX 77306-6004

JAMES TREVATHAN
30815 MCKINNEY DR
TOMBALL TX 77375-3006

FRANCES UNDERWOOD
11150 FM 521 RD
ROSHARON TX 77583-5114

PAM VERCHER
10535 GREENRIDGE RD
CONROE TX 77303-4209

KATHY TREVATHAN
30815 MCKINNEY DR
TOMBALL TX 77375-3006

DICK VAN LIEW
16410 TREE MONKEY RD
CONROE TX 77303-4958

TOMMY J VERCHER
10535 GREENRIDGE RD
CONROE TX 77303-4209

PRISILA TREVINO
151 PEGASUS CT
CONROE TX 77306-5976

DONNA VANDERMOLEN
15295 MAGNOLIA PARK
CONROE TX 77306-6940

ZACHARY VERCHER
10535 GREENRIDGE RD
CONROE TX 77303-4209

LENURMA VERM
12241 CROCKETT MARTIN RD
CONROE TX 77306-7652

M WATERS
20726 RED OAK DR
CLEVELAND TX 77328-2934

NORMAN L WILKERSON
16396 TREE MONKEY RD
CONROE TX 77303-4953

CONNIE VICK
295 RIGBY OWEN RD
CONROE TX 77304-1774

KIMBERLY WATKINS
142 KELLYN OAKS DR
CONROE TX 77306-6342

KIMBERLY WILKINSON
7724 N WALKER RD
CLEVELAND TX 77328-5751

LUCILA VILLARREAL
5934 DEERWOOD DR
CONROE TX 77306-6286

CODY WEAVER
16314 WEAVER LN
CONROE TX 77303-4218

RANDY WILKINSON
7724 N WALKER RD
CLEVELAND TX 77328-5751

ROBERT VINEYARD
8272 PINE SHADOWS RD
CLEVELAND TX 77328-5719

JOANN & THOMAS WELCH
3365 N WALKER RD
CLEVELAND TX 77328-9557

STEVE O WILKINSON
20274 S GERONIMO TRL
CLEVELAND TX 77328-2801

JAMES E VON TUNGELN
PO BOX 4956
PASCO WA 99302-4956

ZULEMA WELLS
11748 E OLD OAK TRL
WILLIS TX 77378-3974

ARMEL WILLIAMS
22515 MORGAN CEMETERY RD
CLEVELAND TX 77328-6773

MARGARET C WAGNER
5800 PINE SHADOWS RD
CLEVELAND TX 77328-5701

DANNETTA WEST
1562 PIONEER LN
CLEVELAND TX 77328-2719

CHARLOTTE A & JAMES L WILLIAMS
2304 PINE RD
CLEVELAND TX 77328-9524

MING WANG
5411 OAK FALLS DR
HOUSTON TX 77066-5132

RANDY WHEELER
1881 S WALKER RD
CLEVELAND TX 77328-6330

DARRICK WILLIAMS
PO BOX 1543
NEW WAVERLY TX 77358-1543

FRANCES WARD
8513 EDINBURGH CT
MONTGOMERY TX 77316-9438

JOHN WHITE
1823 LEATHERSTEM LN
HUMBLE TX 77345-2504

DONALD G WILLIAMS
15474 BEN WIGGINS RD
CONROE TX 77303-4806

MIKE WARD
16015 CREIGHTON RD
CONROE TX 77302-6023

ELIZABETH & JEREMY WILKERSON
16396 TREE MONKEY RD
CONROE TX 77303-4953

LACEY WILLIAMS
17292 OLD HIGHWAY 105 E
CONROE TX 77306-6106

MARCIA WARNER
4275 JEANETTE LN
CONROE TX 77303-4878

JESSICA, JOHNNY & JOHNNY E WILKERSON
15264 WHITE OAK LN
CONROE TX 77303-3962

MARY WILLIAMS
14100 KELLY RD
CONROE TX 77303-3163

SUE A WILLIAMS
15474 BEN WIGGINS RD
CONROE TX 77303-4806

SERCY YAWN
1201 HALES RD
CLEVELAND TX 77328-3028

WILLIE WILLIAMS
12049 LA SALLE OAKS
CONROE TX 77304-4002

JENNAFER YELLOWHORSE
11492 POST OAK RD
WILLIS TX 77318-7533

KEVIN WINDHAM
16141 FM 2090 RD
CONROE TX 77306-7916

MELBA YORK
17690 DOGWOOD DR
CONROE TX 77303-3202

DESTINY WINN
25661 TALLOW VIS
CLEVELAND TX 77328-7169

THOMAS YORK
17690 DOGWOOD DR
CONROE TX 77303-3202

JUSTIN WOOD
19313 MEADOW LAKE RD
CLEVELAND TX 77328-2660

WILLIAM YOUNG
403 LIBERTY ST
MONTGOMERY TX 77316-4454

KAREN WOOD
5398 DEERWOOD DR
CONROE TX 77306-6113

SCOTT YURA
596 N WALKER RD
CLEVELAND TX 77328-2316

MARGIE WOOD
15695 MILLER RD
CONROE TX 77303-4933

LADGIE ZOTYKA, JR
7171 GREENWOOD DR
CLEVELAND TX 77328-9442

CARLA WOODWARD
5869 E FOREST RD
CONROE TX 77306-6259

ROGELIO ZUNIGA
5766 BARBER LN
CONROE TX 77303

BRENDA F WRIGHT
3430 N OAK FOREST DR
CONROE TX 77303-4886

REBECCA ZYLMAN
2388 N WALKER RD
CLEVELAND TX 77328-2349

JAY M WRIGHT
322 N MAIN ST
CONROE TX 77301-2810

**Attachment A – Technical
Summary & Draft Permit**

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

DATE:

TO: LaDonna Castañuela, Chief Clerk

THRU: Jacqueline S. Hardee, P.E., Director
Waste Permits Division

FROM: Richard C. Carmichael, Ph.D., P.E.
Manager, Municipal Solid Waste Permits Section
Waste Permits Division

SUBJECT: MLS Type IV Landfill - Montgomery County
Municipal Solid Waste - Permit Application No. 2324

APPLICANT: Montgomery Landfill Solutions, L.P.
13921 Hwy 105 W, Suite 137
Conroe, Texas 77304

	Initials	Date
Originator	ETB	6/2/09
Team Ldr	JA	6/11/09
Admin	JSD	6/11/09
Sect Mgr	RCC	6/11/09
Div Dir		

L:\Staff\Team
NEBELLER\Applications\2324
MLS Type IV
Landfill\AmendedApplication\Tech
CompPackage\Occ memo
6.08.09.doc

Contact: Mr. Jeff McClanahan Phone: (713) 306-7471
Montgomery County Landfill, LLC, General Partner of Montgomery Landfill
Solutions, L.P.

Site: MLS Type IV Landfill

Attached is a revised Technical Summary for the above-referenced application. This Technical Summary replaces the Technical Summary filed with your office under interoffice memorandum dated November 6, 2007. This application was declared administratively complete on April 6, 2004, and technically complete on September 24, 2007. This application is contested and has been assigned TCEQ Docket Number 2005-1371-MSW.

Should you have any questions or need more information, please contact Mr. Eric Beller at 239-1177.

Attachments


JSH/ETB/

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

DATE: June 11, 2009

TO: LaDonna Castañuela, Chief Clerk

THRU: Carlotta Vann 
Waste Permits Division

FROM: Richard C. Carmichael, Ph.D., P.E. *RCM*
Manager, Municipal Solid Waste Permits Section
Waste Permits Division

SUBJECT: MLS Type IV Landfill - Montgomery County
Municipal Solid Waste - Permit Application No. 2324

APPLICANT: Montgomery Landfill Solutions, L.P.
13921 Hwy 105 W, Suite 137
Conroe, Texas 77304

Contact: Mr. Jeff McClanahan Phone: (713) 306-7471
Montgomery County Landfill, LLC, General Partner of Montgomery Landfill
Solutions, L.P.

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Should you have any questions or need more information, please contact Mr. Eric Beller at 239-1177.

Attachments

JSH/ETB/fp

**TECHNICAL SUMMARY
of the**

**MLS TYPE IV LANDFILL
MSW PERMIT APPLICATION
No. 2324**

**Type IV
Municipal Solid Waste Facility
Montgomery County, Texas**

Applicant:
Montgomery Landfill Solutions, L.P.

Date Prepared: September 13, 2007

Prepared and Issued by the
Texas Commission on Environmental Quality (TCEQ)
Office of Permitting, Remediation and Registration
Waste Permits Division
Municipal Solid Waste (MSW) Permits Section

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

Name of Applicant: Montgomery Landfill Solutions, L.P.
13921 Hwy 105 West, Suite 137
Conroe, TX 77304

Name of Facility: MLS Type IV Landfill

Contact Person: Mr. Jeff McClanahan, Manager
13921 Hwy. 105 West, Suite 137
Conroe, TX 77304
(713) 306-7471

Consulting Engineers: Mr. Gary R. Horwitch, P.E., Sr. Consultant
Metroplex Industries, Inc.
14423 Cornerstone Village Drive
Houston, TX 77014
(281) 440-5503

Type of Facility: 207.1-acre Type IV waste unit on a 473.0-acre facility

1. GENERAL

1.1 Purpose:

This permit application, submitted by Montgomery Landfill Solutions, Inc., is to construct and operate a new Type IV Municipal Solid Waste (MSW) landfill in Montgomery County, Texas. The total permitted facility will include 473.0 acres of land of which approximately 207.1 acres will be used for waste disposal. The final elevation of the waste fill and final cover material will be 408.29 feet above mean sea level (msl). The site will be authorized to accept the waste streams as listed below.

1.2 Wastes to be Accepted:

Solid waste to be disposed of will primarily consist of municipal solid waste resulting from, or incidental to, construction, demolition and groundskeeping activities, including brush, construction/demolition waste, rubbish, inert material, man-made inert material, trash, yard waste that is free of putrescible and household waste, scrap tires that have been slit and quartered or shredded, but not from a tire disposer/recycler that is reimbursed from the State Waste Tire Recycling Fund, and other waste as approved on a case-by-case basis by the Executive Director. The proposed landfill is prohibited to accept waste materials other than those mentioned above, and those waste streams that are expressly prohibited by 30 Texas Administrative Code (TAC) Chapter 330, including but not limited to hazardous waste, Class 1 non-hazardous industrial waste, Class 2 non-hazardous industrial waste, Class 3 non-hazardous industrial waste, regulated radioactive waste, waste containing regulated polychlorinated biphenyls, putrescible waste, household waste, liquid waste, water and wastewater treatment sludge, grease/grit trap wastes, special wastes, and waste materials that may cause an odor or nuisance or that may require excessive or special onsite procedures and handling requirements.

1.3 Waste Acceptance Rate:

Authorized wastes will be accepted at an anticipated initial average rate of approximately 858,000 tons per year (3,000 tons per day, 6 days per week) to a final average rate of approximately 1,145,000 tons per year (4,000 tons per day, 6 days per week) which results in an estimated life of approximately 30 years.

2. LOCATION AND SIZE

2.1 Location:

The MLS Type IV Landfill is located in Montgomery County, Texas. The facility abuts the west side of North Walker Road about 1.4 miles north of the intersection of North Walker Road and State Highway (SH) 105 and has a physical address of 3761 North Walker Road. Refer to the General Location Map, Attachment 1 to this Application Summary.

2.2 Elevation and Coordinates of Permanent Benchmark:

Latitude:	N 30° 21' 03"
Longitude:	W 95° 17' 10"
Elevation:	204.18 msl

2.3 Size:

The total area within the permit boundary under the proposed permit is approximately 473.0 acres.

3. FACILITY DESIGN, CONSTRUCTION, AND OPERATIONS

3.1 Facilities Authorized:

The permittee will be authorized to operate the facility subject to the limitations contained in the permit. All waste disposal operations will be limited to the units and other features identified in the Site Development Plan and the Site Operating Plan as follows.

3.1.1 A Type IV municipal solid waste landfill facility with a single waste disposal cell footprint of approximately 207.1 acres. The landfill will have a below grade excavation of approximately 47 feet to an elevation of 167.4 feet above msl with continuous area filling with waste, and above grade aerial fill of approximately 188 feet to a top of final cover elevation of 408.3 feet above msl. The proposed facility will contain a gatehouse, perimeter drainage ditches and dikes, four sedimentation/detention basins, segments of Lawrence Creek, West Fork of Spring Branch and a tributary of Lawrence Creek, 29 shallow groundwater monitoring wells and 18 deep groundwater monitoring wells, 17 gas monitoring probes, sidewall clay plug, clay liner system and final cover system.

- 3.1.2 Access roads, temporary and permanent drainage features, disposal trenches, all appurtenances, and other improvements shall be built, operated, and/or maintained in accordance with the conditions of the permit, Part I - IV of the permit application, and commission regulations. The facility shall be managed in a manner to protect human health and the environment.

4. LAND USE

- 4.1 The site is located in Montgomery County near the City of Cut and Shoot, Texas and adjacent to the unincorporated community of Midway. Midway is a growing community of varying lot sizes mixed with some agricultural and timberland tracts and commercial properties primarily located along SH 105. The landfill site is about 1.4 miles north of the intersection of North Walker Road and SH 105, northeast of Cut and Shoot.
- 4.2 The proposed facility will be located in Montgomery County outside of the incorporated limits of any city and is therefore not subject to any known city zoning ordinances.
- 4.3 The surrounding land is 60% undeveloped or agricultural, 39% residential with agricultural and 1% industrial. There are an estimated 780 people residing within 1 mile of the site (based on 2000 census data, which indicates that there are 2.92 people per residence and an estimated 267 residences within one mile of the permit boundary). These people are primarily located on the east side of North Walker Road.
- 4.4 Structures located within the 1 mile boundary of the site consist of homes along roads and agricultural use structures. There are nine structures and habitable buildings within 500 feet of the permit boundary. The nearest is approximately 75 feet east of the permit boundary and about 1,150 feet east of the waste cell.

5. TRANSPORTATION AND ACCESS

- 5.1 The site is reached from an access road on property south of the proposed permit boundary. This property is owned by the permittee but is not within the permit boundary. The access road is entered from SH 105, west of North Walker Road. SH 105 is a two-lane asphalt-surfaced roadway with a 44-foot cross-section, including 12-foot travel lanes with a 10-foot shoulder in each direction. Traffic volumes were acquired by the applicant from automatic tube counters, peak-hour turning movement counts and vehicle classification counts. Based on this information, the average daily traffic volume for SH 105 in the vicinity of North Walker Road is 12,408 vehicles per day traveling in both directions. The peak flow rate for SH 105 is 1,104 vehicles per hour, based on year 2006 traffic, traveling in both directions. The landfill facility is expected to contribute approximately 454 vehicles per day in the first year of operation and increase to 608 vehicles per day in the 30th year of operation.

SH 105 will be improved in the vicinity of North Walker Road. The improvements will meet Texas Department of Transportation (TxDOT) requirements. A diagram illustrating the TxDOT-approved design is provided in Part II of the application. As noted in the Special Provisions, this road must be improved before the facility may receive waste.

- 5.2 There are no public use airports located within five miles of the site. The nearest public use airport is the Montgomery County Airport, which is located about 6.7 miles west of the site. The FAA was contacted and did not object to the location of the landfill site.

6. SURFACE WATER PROTECTION

6.1 Floodplain:

There are two areas where designated 100-year floodplain areas appear to lie within the permit boundary of the facility. These are along Lawrence Creek on the west side of the property and the West Fork of Spring Branch across the southwest corner of the property. Another area within the property boundary subject to flooding from a 100-year storm event exists along a tributary to Lawrence Creek across the northeast corner of the property. The waste cell, perimeter roads, sedimentation/detention basins and site monitoring systems are not within these areas.

6.2 Storm Water:

Unaffected storm water from within the footprint of the waste unit is channeled to four sedimentation/detention basins. Two of these (Basin Nos. 2 and 3) discharge to the West Fork of Spring Branch and then to the south. Basin No. 1 discharges to Lawrence Creek and then to the southeast. Basin No. 4 discharges to the tributary to Lawrence Creek, leaving the property near its northeast corner to join Lawrence Creek. This storm water re-enters the property near the northern end of its easternmost perimeter and discharges to the southeast. The entire permitted boundary discharges through six outfalls. In addition to the four described above are an outfall to the north on the northernmost perimeter and an outfall to the south near the center of the southern perimeter.

6.3 Contaminated Water:

Storm water that comes in contact with solid waste will be considered contaminated water. Contaminated storm water at the working face will be properly contained and managed. No contaminated water will be discharged from the site.

7. GROUNDWATER PROTECTION

7.1 Groundwater Protection:

To reduce the potential to affect groundwater at the site resulting from waste disposal operations, fill areas will be underlain by, from the subsurface up, a three-foot compacted clay layer with a hydraulic conductivity of 1×10^{-7} centimeters per second (cm/sec) or less and a 12-inch-thick protective cover of soil. An additional compacted clay plug will be installed on all sidewalls to protect Stratum II (the shallow water-bearing zone). This plug will be from 32.5 to 36 feet thick with a minimum hydraulic conductivity of 5×10^{-8} cm/sec and will be placed behind the compacted clay liner sidewall. The waste cell will have a final cover of, from the top down, a 12-inch-thick grassed erosion layer and an 18-inch thick clay infiltration barrier with a maximum hydraulic conductivity of 1×10^{-7} cm/sec.

7.2 Monitoring Wells:

A groundwater monitoring system will provide for early detection of potential releases from the facility in two strata, the more shallow Strata II and the deeper Strata IV. The system will consist of 29 shallow groundwater monitoring wells (in Strata II) and 18 deep groundwater monitoring wells (in Strata IV). The groundwater monitoring network will be sampled, analyzed, and monitored in accordance with the procedures in the Groundwater Sampling and Analysis Plan (Part III, Attachment 11 of the Permit Application), which is part of the facility permit.

8. CONTROL OF METHANE

8.1 Clay Liners:

The design and construction of the below grade liners, described in Section 7.1 of this Technical Summary, inhibit migration of methane gas.

8.2 Monitoring:

Landfill gas migration will be monitored around the perimeter of the facility utilizing 17 permanent landfill gas monitoring probes (LGMP). LGMPs will be installed throughout the sequence of operations at the facility whenever waste is placed within 1,000 feet of a proposed probe location. Gas monitoring will be conducted quarterly to ensure that the concentration of methane gas generated by the facility does not exceed the lower explosive limit (LEL) at the facility property boundary or 25% of the LEL in enclosed structures within the facility property boundary.

9. SITE DEVELOPMENT AND OPERATION

The Site Development Plan (SDP), Part III of the application, and Site Operating Plan (SOP), Part IV of the application, are intended to provide guidelines for facility management and operating personnel to implement, develop, and operate the solid waste management facility. The SOP is to provide an operating guide for site management to maintain the facility in compliance with the engineering design and applicable TCEQ regulations. The SDP and SOP were prepared using 30 TAC Chapter 330 regulations and will become part of the facility permit if the proposed landfill application is approved by the TCEQ.

10. PROTECTION OF ENDANGERED SPECIES

The applicant contacted both the Texas Parks and Wildlife Department and the U.S. Fish & Wildlife Service to inquire about the possibility of threatened and endangered (T&E) species within the permit boundary. These agencies had no specific information for the proposed site, but offered T&E species found in the county or nearby the proposed site. In response, the applicant contracted for a protected species site investigation. The report prepared for this investigation is provided in the application as Exhibit 3 to Appendix H in Part II. The conclusion of the report is that there are no threatened or endangered plants or animals that are likely to be affected by the proposed construction and that the property contains no critical habitat to support any endangered

plant or animal species. Procedures for protection of T&E species and migratory birds are included in the Site Operating Plan, Part IV of the application.

11. PROTECTION OF WETLANDS

Jurisdictional wetlands have been identified near Lawrence Creek, a tributary to Lawrence Creek and the West Fork of Spring Branch. The landfill cell was designed to avoid these jurisdictional wetlands. Over 20 acres of non-jurisdictional wetlands will be removed by this facility. A wetlands delineation report is provided with the application as Exhibit 1 to Appendix F in Part II.

12. FINANCIAL ASSURANCE

Authorization to operate this facility is contingent on the maintenance of financial assurance in accordance with 30 TAC Chapters 330 and 37, Financial Assurance, and the provisions contained in the permit application.

13. ATTACHMENTS

Figures from the permit application that provide illustrations of the site location, nearby land use, and site development include the following:

<u>Figure Number</u>	<u>Description</u>	<u>Location in Permit Application</u>
1-1	General Location Map	Part I, page I-2
1-2	Site Vicinity Map	Part I, page I-3
1-3	Site Location Map	Part I, page I-5
1-5	Land Use Map	Part I, page I-12
1-6	Adjacent Landowners Map	Part I, page I-15
2-4	General Topographic Map	Part I, page I-28
	Various Site Layout Plans	Part III, Attachments 1, 2 and 3

14. ADDITIONAL INFORMATION

For information concerning the regulations covering this application, contact the Texas Commission on Environmental Quality:

Mr. Eric Beller
MSW Permits Section, MC 124
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711
(512) 239-1177

For more specific detailed technical information concerning any aspect of this application or to request a copy of the Site Development Plan, please contact the Applicant's Agent or the Applicant at the address provided at the beginning of this summary.

15. PUBLIC PARTICIPATION PROCESS

The process through which the public is allowed to participate in the final decision on the issuance of a permit is outlined as follows.

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

- 15.1 The TCEQ will hold a public meeting if the Executive Director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the Commission accepts formal comments on the application. There is also an informal question and answer period.
- 15.2 Technical review of the application is completed, a final draft permit is prepared, and the application is declared technically complete. Information for the application, the draft permit, the notice, and summaries are sent to the Chief Clerk's office for processing.
- 15.3 The "Notice of Application and Preliminary Decision" is sent to the applicant and published in the newspaper. This notice provides a 30-day period, from the date of publication, for the public to make comment(s) about the application or draft permit. A public meeting will be held if one is requested by a member of the legislature or if there is substantial public interest in the proposed landfill.
- 15.4 After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is then sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a contested case hearing.
- 15.5 After the 30-day period to request a contested case hearing is complete, the matter is placed on an agenda meeting for the TCEQ Commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a contested case hearing.
- 15.6 A contested case hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant party(ies) present witnesses and testimony to support or dispute information contained in the application. When all of this is complete, the ALJ will issue a Proposal for Decision (PFD). This PFD is placed on an agenda meeting of the TCEQ Commissioners for consideration of issuance or denial of a permit.
- 15.7 After the commission has approved or denied an application, a motion for rehearing may be made by a party that does not agree with the decision. Any motion for rehearing must be filed no later than 20 days after the party or the party's attorney of record is notified of the decision. The matter could be set on another agenda for consideration by the Commission, or allowed to expire by operation of law.

- 15.8 Applications for which no one requests a contested case hearing are considered uncontested matters after the 30-day comment period. The application is placed on the Executive Director's signature docket and a permit is issued. Any motion to overturn the Executive Director's decision must be filed no later than 23 days after the agency mails notice of the signed permit.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PERMIT FOR MUNICIPAL
SOLID WASTE MANAGEMENT SITE
issued under provisions of Texas
Health & Safety Code Ann.
Chapter 361 (Vernon)

MSW Permit No. 2324

Name of Permittee Montgomery Landfill Solutions, L.P.
and 13921 Hwy 105 West, Suite 137
Site Owner: Conroe, TX 77304

Facility Name: MLS Type IV Landfill

Classification of Site: Type IV Municipal Solid Waste Management Facility

The permittee is authorized to store, process, and dispose of wastes in accordance with the limitations, requirements, and other conditions set forth herein. This amended permit is granted subject to the rules and orders of the Commission and laws of the state of Texas and it replaces any previously issued permit. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

APPROVED, ISSUED AND EFFECTIVE in accordance with 30 Texas Administrative Code Chapter 330.

ISSUED DATE:

For the Commission

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Montgomery County
MLS Type IV Landfill
MSW Permit No. 2324

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PART NO. 3

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Issued9

PART NO. 1

I. Size and Location of Facility

- A. The MLS Type IV Landfill is located in Montgomery County, Texas about 1.4 miles north of the intersection of North Walker Road and State Highway (SH) 105 with a physical address of 3761 North Walker Road.
- B. The legal description is contained in Part I of the application found in Attachment A of this permit.
- C. Coordinates and Elevation of Site Permanent Benchmark:

Latitude:	N 30° 21' 03"
Longitude:	W 95° 17' 10"
Elevation:	204.18 feet above mean sea level (msl)

II. Facilities and Operations Authorized

A. Days and Hours of Operation

The operating hours at this municipal solid waste facility shall be from 5:00 a.m. to 9:00 p.m. on Monday through Saturday. Waste acceptance hours for this facility shall be from 7:00 a.m. to 7:00 p.m. on Monday through Saturday. Heavy equipment shall not operate outside of the facility operating hours.

B. Wastes Authorized at This Facility

Solid waste to be disposed of will primarily consist of municipal solid waste resulting from, or incidental to, construction, demolition and groundskeeping activities, including brush, construction/demolition waste, rubbish, inert material, man-made inert material, trash, yard waste that is free of putrescible and free of household waste, scrap tires that have been slit and quartered or shredded, but not from a tire disposer/recycler that is reimbursed from the State Waste Tire Recycling Fund, and other waste as approved on a case-by-case basis by the Executive Director.

C. Wastes Prohibited at This Facility

The permittee shall comply with the waste disposal restrictions set forth in 30 Texas Administrative Code (TAC) Section (§) 330.5(e). The landfill is prohibited to accept waste materials other than those mentioned above, and those waste streams that are expressly prohibited by 30 TAC Chapter 330, including but not limited to hazardous waste, Class 1 non-hazardous industrial waste, Class 2 non-hazardous industrial waste, Class 3 non-hazardous industrial waste, regulated radioactive waste, waste affected by regulated polychlorinated biphenyls, putrescible waste, household waste, liquid waste, water and wastewater treatment sludge, grease/grit trap wastes, special wastes, and waste materials that may cause an odor or nuisance or that may require excessive or special onsite procedures and handling requirements.

D. Waste Acceptance Rate

Authorized solid wastes will be accepted at an anticipated initial average rate of approximately 858,000 tons-per-year (approximately 3,000 tons-per-day based on 312 days-per-year of operation) to a final average rate of approximately 1,145,000 tons-per-year (approximately 4,000 tons-per-day 312 days-per-year of operation) which results in an estimated life of approximately 30 years. The actual yearly waste acceptance rate is a rolling quantity based on the sum of the previous four quarters of waste acceptance.

E. Waste Volume Available for Disposal

The total gross in-place (waste and cover) capacity is approximately 43,995,000 cubic yards, as provided in Part III, Section 5.0, page III-8 of the application found in Attachment A of this permit.

F. Facilities Authorized

The permittee is authorized to operate a Type IV municipal solid waste landfill that utilizes area fill with above and below grade filling subject to the limitations contained herein. All waste disposal activities subject to permitting are to be confined to the following facilities, which shall include disposal units, structures, appurtenances, or improvements: access roads, dikes, berms and temporary drainage channels, permanent drainage structures, detention ponds, landfill gas management system, contaminated water management system, final cover, groundwater monitoring system, landfill liner system, and other improvements.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with Texas Commission on Environmental Quality (TCEQ) permit amendment or modification rules, 30 TAC Chapter 305 and 30 TAC Chapter 330.

III. Facility Design, Construction, and Operation

- A. Facility design, construction, and operation and/or maintenance must comply with the provisions of this permit; Commission Rules, including 30 TAC §§330.50 through 330.65 (relating to Permit Procedures), §§330.111 through 330.135 (relating to Operational Standards for Solid Waste Land Disposal Sites), §§330.138 through 330.139 (relating to Operational Standards for Solid Waste Land Disposal Sites), §330.200(e) (relating to Groundwater Protection Design and Operation Design Criteria for Type IV landfills), §330.203(h) (relating to additional provisions, at the discretion of the executive director for Type IV landfill excavations that extend below the seasonal high water table), §§330.204 through 330.206 (relating to Groundwater Protection Design and Operation), §330.239 (relating to Groundwater Monitoring at Type IV Landfills), §330.251 (relating to Closure Requirements for Municipal Solid Waste Landfill Units That Stop Receiving Waste Prior to October 9, 1991 and Municipal Solid Waste Sites [including Type IV facilities]), special provisions contained in this permit; and Parts I-IV of the application found in Attachment A of this permit, and shall be managed in a manner to protect human health and the environment.

- B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant beyond the point of compliance as defined in 30 TAC §330.2 and to prevent inundation or discharge from the areas surrounding the facility components. Each receiving, storage, processing, and disposal area shall have a containment system that will collect spills and incidental precipitation in such a manner as to:
1. preclude the release of any contaminated runoff and spills;
 2. prevent washout of any waste by a 100-year storm; and
 3. prevent run-on into the disposal areas from off-site areas.
- C. The site shall be designed and operated so as not to cause a violation of:
1. the requirements of the Texas Water Code §26.121;
 2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements §402, as amended, and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
 3. the requirements under the Federal Clean Water Act §404, as amended; and
 4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act §208 or §319, as amended.
- D. Contaminated water shall be handled, stored, treated, disposed of, and managed in accordance with 30 TAC §330.55(b)(6), 30 TAC §§330.56(o)(1) through (4), 30 TAC §330.139, and in accordance with Part III, Attachment 15 of the application found in Attachment A of this permit. Other methods may be considered for approval as a modification to this permit.
- E. Best management practices for temporary erosion and sedimentation control shall remain in place until sufficient vegetative cover has been established to control and mitigate erosion on areas having final cover. Vegetative cover will be monitored and maintained throughout the post-closure care period in accordance with Part III Attachment 13 of the application found in Attachment A of this permit.
- F. Storm water runoff from the active portion of the landfill shall be managed in accordance with 30 TAC §§330.55(b)(3) and 330.133(b), and as described in Part III of the application found in Attachment A of this permit.
- G. All facility employees and other persons involved in facility operations shall be qualified, trained, educated, and experienced to perform their duties so as to achieve compliance with this permit. The permittee shall comply with 30 TAC §330.52(b)(9) and with descriptions provided in Part I of the application found in Attachment A of this permit. The permittee shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of Commission rules and this permit, commensurate with their levels and positions of responsibility, in accordance with Part III and Part IV of the application found

in Attachment A of this permit. All facility employees and other persons involved in facility operations shall be appropriately trained.

- H. The facility shall be properly supervised to assure that bird populations will not increase and that appropriate control procedures will be followed. Any increase in bird activity that might be hazardous to aircraft operations will require prompt mitigation actions.

IV. Financial Assurance

- A. General. Authorization to operate the facility is contingent upon compliance with provisions contained within the permit and maintenance of financial assurance in accordance with Subchapter K of 30 TAC Chapter 330 and 30 TAC Chapter 37.
- B. Closure Care Cost Estimates. Within 60 days after the date of issuance of this permit, the permittee shall provide financial assurance instrument(s) for demonstration of closure of the landfill in accordance with 30 TAC §§330.253(d)(6) and 330.281 for the initial year closure cost estimate and within 12 months after the date of the pre-opening inspection, the permittee shall provide financial assurance instrument(s) for the largest area closure cost estimate. The initial year closure cost estimate of \$1,543,042 and the largest area closure cost estimate of \$5,848,534, both in 2004 dollars, are based on estimates as described in Part III Attachment 8 and Attachment 12 of the application found in Attachment A of this permit. The financial assurance instrument shall be in an amount that includes the inflation factors for each calendar year following 2004 until the year the permit is issued.
- C. Post-Closure Care Cost Estimates. Within 60 days after the date of issuance of this permit, the permittee shall provide financial assurance instrument(s) for demonstration of post-closure care of the landfill in an amount for the entire landfill facility. The post-closure care cost estimate of \$583,879 in 2004 dollars is based on estimates as described in Part III Attachment 8 and Attachment 13 of the application found in Attachment A of this permit. The financial assurance instrument shall be in an amount that includes the inflation factors for each calendar year following 2004 until the year the permit is issued.
- D. The owner and/or operator shall annually adjust closure and/or post-closure care cost estimates for inflation within 60 days prior to the anniversary date of the establishment of the financial assurance instrument pursuant to 30 TAC §§330.281 and 330.283, as applicable.
- E. Modifications. If the facility closure and/or post-closure care plan is modified in accordance with 30 TAC §305.70, the permittee shall provide new cost estimates in current dollars in accordance with 30 TAC §§330.253(d)(6), 330.254(b)(3)(D), 330.281, and 330.283, as applicable. The amount of the financial assurance mechanism shall be adjusted within 45 days after the modification is approved. Adjustments to the cost estimates and/or the financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

Closure of the facility shall commence:

- A. upon completion of the disposal operations where the site is completely filled in accordance with Part III Attachment 7 of the application found in Attachment A of this permit;
- B. for failure to comply with the terms and conditions of this permit or violation of state or federal regulation upon direction by the Executive Director of the TCEQ, who is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
- C. upon abandonment of the site or rendering the site unusable;
- D. for failure to secure and maintain an adequate bond or other financial assurance as required;
or
- E. upon notification to the TCEQ by the permittee that the landfill will cease to accept waste and no longer operate at any time before the site is filled to capacity.

VI. Site Completion and Closure

The landfill shall be completed and closed in accordance with 30 TAC §330.250 and the applicable portions of 30 TAC §§330.251 through 330.256. Upon closure, the permittee shall submit to the Executive Director documentation of closure as set out in 30 TAC §330.253. Post-closure care and maintenance shall be conducted in accordance with Part III Attachment 13 of the application found in Attachment A of this permit, for a period of 5 years or as otherwise determined by the Executive Director pursuant to 30 TAC §330.254(a).

VII. Standard Permit Conditions

- A. Parts I through IV, as described in 30 TAC §330.51(a), which comprise the Permit Application for MSW Permit No. 2324 are hereby made a part of this permit as Part No. 2: Attachment A. The permittee shall maintain Parts I through IV and Part V, as described in 30 TAC §330.51(a), at the facility and make them available for inspection by TCEQ personnel. The contents of Part III of Attachment A of this permit shall be known as the "Approved Site Development Plan" in accordance with 30 TAC §§330.54 and 330.55. The contents of Part IV of Attachment A of this permit shall be known as the "Approved Site Operating Plan" in accordance with 30 TAC §§330.57 and 330.114.
- B. Part No. 3: Attachment B, consisting of minor amendments, modifications, and corrections to this permit, is hereby made a part of this permit.
- C. The permittee shall comply with all conditions of this permit. Failure to comply with any permit condition may constitute a violation of the permit, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.

- D. A preconstruction conference shall be held pursuant to 30 TAC §330.64(c) within 90 days after issuance of the permit. After initial construction of the landfill a pre-opening inspection will be held in accordance with 30 TAC §330.64(d) before acceptance of waste. Additional preconstruction conferences may be held prior to the opening of the facility.
- E. A pre-opening inspection shall be held pursuant to 30 TAC §330.64(d).
- F. The permittee shall monitor sediment accumulations in ditches and culverts on a quarterly basis, and remove sedimentation to re-establish the design flow grades on an annual basis or more frequently if necessary to maintain the design flow.
- G. The tracking of mud off-site onto any public right-of-way shall be minimized.
- H. In accordance with 30 TAC §330.7(a), the permittee shall record in the Deed Records of Montgomery County, a metes and bounds description of all portions within the permit boundary on which disposal of solid waste has and/or will take place. A certified copy of the recorded document(s) shall be provided to the Executive Director in accordance with 30 TAC §330.7(b).
- I. Weekly cover of the waste fill areas shall be performed with clean soil that has not been in contact with waste or with an alternate daily cover which has been approved in accordance with 30 TAC §§330.133(c) and 305.70. Intermediate cover, run-on, and run-off controls shall not be constructed from soil that has been scraped from material that has been used as weekly cover or that contains waste.
- J. During construction and operation of the facility, measures shall be taken to control runoff, erosion, and sedimentation from disturbed areas. Erosion and sedimentation control measures shall be inspected and maintained at least monthly and after each storm event that meets or exceeds the design storm event. The permittee shall maintain erosion and sedimentation controls in a functional condition until disturbed areas are stabilized with established permanent revegetation. The permittee shall maintain the on-site access road and mud control devices in such a manner as to minimize the buildup of mud on the access road and to maintain a safe road surface.
- K. In complying with the requirements of 30 TAC §330.123, the permittee shall consult with the local District Office of the Texas Department of Transportation or other authority responsible for road maintenance, as applicable, to determine standards and frequencies for litter and mud cleanup on state, county, or city maintained roads serving the site. Documentation of this consultation shall be submitted within 30 days after the permit has been issued.
- L. The permittee shall retain the right of entry onto the site until the end of the Post-Closure Care Period as required by 30 TAC §330.62(b).
- M. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life and until the end of the Post-Closure Care Period as required by §361.032 of the Health and Safety Code.

- N. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.
- O. Regardless of the specific design contained in Attachments A and B of this permit, the permittee shall be required to meet all performance standards required by the permit, the regulations, and as required by local, state, and federal laws or ordinances.
- P. If differences arise between these permit provisions and incorporated Parts I-IV of Attachment A of this permit, these Permit Provisions shall prevail.
- Q. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116.
- R. All discharge of storm water will be in accordance with the U.S. Environmental Protection Agency NPDES requirements and/or the state of Texas TPDES requirements as applicable.

VIII. Incorporated Regulatory Requirements

- A. To the extent applicable, the requirements of 30 TAC Chapters 37, 281, 305, and 330 are adopted by reference and are hereby made provisions and conditions of this permit.
- B. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits before beginning any on-site improvements or construction approved by this permit.

IX. Special Provisions

The applicant shall not accept waste at the facility until all improvements to North Walker Road and State Highway 105, as described in the application, are complete.

PART NO. 2

Attachment A

Parts I through IV of the permit application effective with the date on the permit.

PART NO. 3

Attachment B

Minor Amendments, Modifications, and Corrections may be issued for MSW Permit No. 2324.

The minor amendment, modification, or correction document prepared and executed with an approval date shall be attached to this attachment. There is no limitation on the number of these documents that may be included in Attachment B of this permit.

**Attachment B – Executive
Director’s First Amended Response
to Public Comment**

TCEQ PROPOSED PERMIT NO. 2324

2009 FEB 13 PM 3: 51

APPLICATION BY	§	BEFORE THE
MONTGOMERY LANDFILL	§	TEXAS COMMISSION ON
SOLUTIONS, L.P.	§	ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

EXECUTIVE DIRECTOR'S FIRST AMENDED RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this First Amended Response to Public Comment (Response) on the application by Montgomery Landfill Solutions, L.P. (Applicant) for Municipal Solid Waste (MSW) Permit Number 2324 and on the Executive Director's preliminary decision on the application. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before a permit is issued, the Executive Director prepares a response to all timely, relevant and material, or significant comments. The Office of the Chief Clerk timely received comment letters and comments at the public meetings.

The following people provided written or oral comments at the public meeting held on April 10, 2008:

Dana Abernathy	Luine Hancock, on behalf of
Corallyn Berger	State Senator Robert Nickols
Keith Berger	Sanjuana Hernandez
Gary Biddle	Hon. Ruben Hope, Jr., State
Cheryl Burks	Representative District 16
Ken Burling	Thornton Ireland
Vallye W. Chandler	Chrispen Johnson
Sherman J. Chenier-Cleveland	Janes M. Lamendolis
James Clark	Monte Harris Lane
Byard Crandall	Susan Lane
Linda Kay Crandall	Christine Ludwig
Brandon Creighton, State	Barbara Mayeux
Representative District 16	Matt McLeane
Jim Dawson	Rosa Morelos
Elizabeth Dotson	Trudilee O'Neil
Erin Dotson	Dr. Dellanira Rangel
Louis Aaron Dotson	Jennifer Real
Ralph Drinkwater Floyd	Hon. Ed Rinehart, Montgomery
Sheila Freeman	County Commissioner Pct.
	No. 4

Lorraine Romero
David Rondon
Travis Selph
Anita Severa
Melvin Sharpe
Vicente V. Sifuentes
Leah Smith
Linda Standley
Linda Stegenga
Rhonda Tate

Donna Vanermoleni
Janice Walkens
Mike Walton
Mike Ward
Cody Weaver
Randall Weaver
Karen J. Welch
Jay M. Wright
Melba York

The following people provided written or oral comments at the public meeting held on March 10, 2005:

Paul Bacque
Johnny and Karen Beal
Phillip Branch
Ken Burling
Charles Buzbee
Mary Carter
Elvira and Yolanda Cervantz
Linda Collins
Tina Collins
Penny Cooper
Terry Dautart
Jim Dawson
Deborah K. Doran
Joe Esposito
Shelia Freeman
Duane Hamilton
Mary Hartt
Laurie Headings
David Henderson
Tony Herrin and Pattie McGee
Claudia Hubbard
Ernest Kanak, Jr.
Mary Lou Kirves
Wayne Kocurek
Monte Lane
Phillip Lindsey
Barbara Mayeux

Barbara Meche
Frankie Milley
Lee and Kelli Moulder
Shelia and Albert Nelson
Marigrace O'Neil
Greg Poole
David Rendon
Hon. Ed Rinehart, Montgomery
County Commissioner Pct.
No. 4
The Hon. Alan B. Sadler,
Montgomery County Judge
Melvin Sharpe
James Shropshire
John and Leah Smith
Robert Smith
Linda Standley
Linda Stegenga
David Tate
Rhonda Tate
Billy Wagnon
Michael Walton
Marcia Walton
Janice Watkins
Karen Welch
Jacqueline Woychesin
Ladgie Zotyka, Jr.

The following people provided written or oral comments at the public meeting held on August 9, 2004:

Jeff Allman

Enedina Alvarez

Willie Mae Atkinson
Paul Bacque
Darryl Barnhill
Martha Barr
Thomas J. Beers
Denise Bell
Charles Brewer
Ken Burling
Lennice Cargill
Diannia Carter
William Carter
Amarian Castillo
Jenise Cemino
Phillip Cemino
Vallye W. Chandler
Ann Cheatham
Patricia Clark
Evelyn A. Collins
Doug Crofton
Patricia Crofton
David Lynn Dauzart
Terry Dauzart
Jim Dawson
Barbara Dowden
David Dowden
Dean R. Dusk
Janice Ferrer
Pat Ferrer
Maria Figueroa
Charles Fitzgerald
Aaron Flores
Claudia Flores
Janet Flores
Edgar Folney
Tanci Foster
Bill Franks
Susan Franks
Gabriela Gonzalez
Jackalyne Gonzalez
Jessica Gonzalez
Juana Gonzalez
Judith Gonzalez
Kenny Hamby
Duane E. Hamilton
Sandy Hamilton
Steve Hamilton

Tracy Hamilton
Mary Jennings Hartt
Hon. Ruben Hope, Jr., State
Representative District 16
Judith Horne
Claudia Hubbard
Mary Hutseal
Robert Hutseal
Gloria Jensen
Devin Kaatz
Minnie Kaatz
Normane Kaatz
Ernest Kanak, Jr.
Shelagh Kasinger
Mary Lou Kirves
Joseph Kocurek
Wayne Kocurek
Alexandria Lacina
Antonia Lacina
Tasha Lacina
Frank Lee
Leona Lee
Melody Logan
Christine Ludwig
Angus Lupton
Reverend Jim Luton
Ronald Maffet
Susana Magana
Steven Matthews
Barbara Mayeux
Travis Mayeux
Barbara Meche
Jose Mejia
Frankie Milley
Francisco Moctezuma
Alisa Murphy
Ellen Nelson
Dennis O'Neil
Marigrace O'Neil
Trudilee O'Neil
R. M. Palmer
Carol Parten
Edward Parten
Billy Pickering
Deborrah Pickering
Greg Poole

Christian Ramirez
Francisco Ramirez
Isabel Ramirez
Karen Ramirez
Oscar Ramirez
Danielle Reich
Louis Reiszner
Sandy Relander
Beth Reneau
James Reneau
Kyle Reneau
Leona Reneau
Link Reneau
Nora Renteria
Normo Reyes
Hon. Ed Rinehart, Montgomery
County Commissioner Pct.
No. 4
Carla Robles
Pedro Rosales
Pedro Rosales, Jr.
Refugia Rosales
Hon. Alan B. Sadler,
Montgomery County Judge
Jack L. Safford
Bob Sasser
Lynda Sasser
Travis Selph
Anita Severa

Melvin Sharpe
Paul Simmons
Arlinda Smith
Billy L. Smith
Cassandra Smith
Jaren Smith
Logann Smith
Leah D. Smith
Linda Standley
Linda K. Stegenga
Nancy Steward
David Tate
Rhonda S. Tate
Debra Teekamp
Vicki Thompson
James Trevathan
Frances Underwood
Daniel P. Vargas
Faustino Dino Villarreal
Michael Walton
Clifford Welch
Joann Welch
Karen J. Welch
Thomas Welch
Sabrina Westerfeld
Charlotte Williams
Margie Wood
Jacqueline Woychesin
Paul Zylma

The following people submitted comment letters to the TCEQ Office of the Chief Clerk from March 11, 2005 to April 11, 2008:

Mary W. Carter, on behalf of
Citizens Against Mont-
gomery Landfill (CAML)
Daniel Heil
Jerri Heil
Hon. Ruben Hope, Jr., State
Representative District 16
Thornton Ireland
Mary Lou Kirves
Ronald Maffett
Patsy Matthews
Lorraine & Mikel D. Morris

The Hon. Robert L. Nichols,
State Senator
R.M. Palmer, International Paper
Real Estate Division (IPRC)
Theresa Portillo
Carolyn Sue Rains
Lawrence A. Rains
Hon. Ed. Rinehart, Montgomery
County Commissioner Pct. 4
John Romero Jr.
Lorraine Romero
Hon. Alan B. Sadler,
Montgomery County Judge

Alan P. Schuler
Allen Selph
Joyce Selph
Ruben Travis Selph
Travis Selph

Linda K. Stegenga
James E. Wakinshaw
Michael David Walton & Family
Charlotte A. Williams
James L. Williams

The following people submitted individual comment letters or added individualized comments to form letters sent to the TCEQ Office of the Chief Clerk from April 21, 2004 to March 10, 2005:

Melissa Barton
Samantha Baumgarten
Phillip Branch
Mary W. Carter, on behalf of
Citizens Against Mont-
gomery Landfill (CAML)
Robert W. Collins
Leon W. Cubillas, Splendora
Independent School District
(Splendora I.S.D.)
Jim Dawson
Deborah K. Doran
Kenneth and Mary Everitt
Mel Fife
Dan Glassel
Thornton Ireland
Mary Lou Kirves
Barbara Mayeux
Shelia and Albert Nelson
R.M. Palmer
Jason Reaves
Hon. Ed. Rinehart, Montgomery
County Commissioner Pct. 4
Carla Robles

The Hon. Alan B. Sadler,
Montgomery County Judge
Jack L. Safford
Lynda and Bob Sasser
Ruben Travis Selph
Travis Selph
Melvin Sharpe
John B. Smith
Leah D. Smith
Robert C. Smith
Jack Spera
Jan Stallworth
Linda Standley
David Stegenga
Linda K. Stegenga
Donald J. Stockton, Conroe
Independent School District
(Conroe I.S.D.)
Pete Stone
David Tate
John Tate
Rhonda S. Tate
Donald G. Williams
James and Charlotte Williams
Paul R. Zylman

The following people submitted an identical form letter to the TCEQ Office of the Chief Clerk from March 11, 2005 to April 11, 2008 which contained additional comments. While their additional comments will be addressed separately, with regard to responses to the general comments contained in the form letter these people will be known as Group 1:

Roger Adams
Ruth Allen
Stephen Barfield
Johnny Beall

Karen Beall
Dorothy Bell
Jason Bellini
Kimberly Bellini

Mrs. R.A. Benedict
Ralph E. Benedict II
Bonnie Braswell
Charles E. Buzbee
Marie E. Buzbee
Dennis R. Cartwright
Rosemary Cartwright
James E. Clanton
Floyd C. Collins
Tina Collins
Joshua Davis
Ken Van Dine
Alberto Enriquez
Belinda Faulkner
Lisa & Venessa Ford
Terri Gandy
Sherry Glaze
Glenela Godejohn
Maurice Godejohn
Steven Gothard
Mark Grimes
Martha Guibeaux
Kenny Hamby
Sheila Hardrick
Prescila Harris
Thomas Harrison
Deborah Heuermann
Amber Hunt
Jimmy Hunt
Crystal Kelsoe
Ed Kirkland
Michael & Bright LeMaster
Floralee Lovell
James Lovell
David H. Ludwig, Jr.
Charles W. Lyle
Mark Matheny
Bob McDaniel

Carl & Linda McLeod
Linda Middleton
Luis Angel Nava
Albert A. Nelson
Shelia Nelson
Leda O'Neil
Linda Ott
Sylvia Padilla
Lisa Reasor
Terry E. Rollins
Delores Roost
J. Sandles
David W. Sargent, Jr.
James Singleton
Ciara Smalling
Sherry Smalling
John & Leah Smith
Nikki Somplasky
George Standley
Linda Standley
Ricky Standley
Joseph Tanseu
David Tate
Rhonda S. Tate
Jason Turner
Dan Wallace
Shaun Wallace
William Waters
Cynthia Watford
Shawn Watford
James Watkins
James R. Watkins
Angela Welch
Dale Welch
Karen J. Weich
Ester Williams
Julianne Young

The following people submitted an identical from letter to the TCEQ Office of the Chief Clerk from April 21, 2004 to March 10, 2005, and will be known as **Group 2**:

Kimmy Abramson
Heather Adams
Lori Adams
Richard J. Adams, Jr.

Jennifer Adkins
Maria I. Aguilar
Allen Alexander
Leilani Allen

Ruth A. Allen
Jeff Allman
Katrina Alverde
Janet Anderson
Ron Armacost
Charles Armstrong
Pamela Armstrong
Ed Arnold
Tara Arnold
Elvio Arrieta
Deana Atchley
Matthew Atchley
Brenda Atkinson
Raymond Atkinson
Richard Atkinson
Rodney Atkinson
Valerie Atkinson
Willie Mae Atkinson
Shane Baker
Martha Diane Ballard
William F. Ballard
Elizabeth Barbosa
Karen Barfield
Stephen Barfield
David A. Barge
Rogelio Baroenus
Jessee Barrera
Sergio Barrera
Paul Barretto
Melissa Barton
Walter C. Bastedo
Jeremy Beall
Johnny Beall
Karen Beall
Jeb Becker
Mary Beckley
Bonnie Bell
Debbie Bell
Denice Bell
Jeff Bell
Josephine Bell
Richard A. Bell
Steve Bell
Jason Bellini
Kim Bellini
Corallyn Berger

Eric Bettis
Charles Bishop
Jackie Bishop
Margaret Blackburn
Betty Blackman
Helen Blackman
Jerry Blackman
W.L. Blackman
Sandra Blackmon
Terry Blackmon
Magnolia C. Boehm
Rebecca M. Boles
Linda S. Bone
Randy L. Bone
Verda Borton
Alicia Borunda
Donald Bowers
Richard L. Bowers
Rodney Bowers
Larry W. Brooks, Jr.
Dorothy M. Brown
Lisa S. Brown
Pam Brown
Rhonda Brown
Rick Brown
Ron Brown
Stephen R. Brown
Terri Brown
Mitchell Bruce
Tammy Bryant
Cheryl J. Burks
Ken Burling
Louiza F. Bustamante
Marie Buzbee
Carlos Cabrera
Rachel Callaway
Delano E. Canales
Ted Cantu
Sharene Carr
Wes Carr
Robert Casey
Louis Castanon
Irma Rodriguez Causey
Jenise Cemino
Phillip Cemino
Stephanie Cemino

Stephanie Cemino
Francisco Cervantez
Yolanda Cervantez
Agustin Chacon
Vallye W. Chandler
Ann M. Cheatham
Cynthia Chenault
David E. Chirstensen
Penny Chunn
Pat Clark
Paul Clark
John Clement
Sue Ellen Clement
Stephen Closson
Bill Cobler
Myla Cobler
James Coker
John W. Coker
Evelyn A. Collins
Rober W. Collins
Fred Colston III
Mary Lee Colston
Jessie M. Cooper
Brian Cormier
Freddie E. Couey
Marion C. Couey
Crystal Hogan Craft
Michael Craft
Mark Cremeans
Stacy Cremeans
Sam Croce
Stephen R. Daughdrill
Terry Dazart
Marilee Deckerr
Arelio De Leon
Roger Delong
David Dempsey
David Deschner
Heather Dodson
Sonny Donaldson
Deborah K. Doran
Ivy Dorsey
Barbara Dowden
David Dowden
L.V. Dowden
Paul Dowden

Leroy Dudley
Hattie Dungan
Dean Duskin
Margarett Duskin
Janice Edwards
Cynthia Enloe
James Ernst
Andy Esparza
Leanna Evans
K. R. Everitt
Mary Everitt
Karen Faulk
Janice Ferrer
William P. Ferrer
Brian Fife
Jon Fife
Mel Fife
Dorothy Fitch
Edward Fitch
Marietta Flanagan
Bonnie Foster
Lewis Foster
James E. Francis
James J. Frank
Susan Franks
William Franks
Krystle Fudge
Miguel Fuentes
Margaret Fuller
Barbara J. Gandy
Robert J. Gandy
Rufina Garay
Jesus Garcia
Dana Garza
Reese Garza
Sidney Gaylord
Lan O. Gayo
Earl E. Gelston
Patricia Giddings
Gisa R. Giles
Linda L. Goebel
Jerry Gonzales
Maria T. Gonzales
Bonifacio Gonzalez
Gabriela Gonzalez
Juana Gonzalez

Gabe Grant
Betty Grantham
William Grantham
Betty Gregg
Fred Gregg
Deborah Gregory
Juanita Gregory
Mark A. Gregory
Mike L. Gregory
Norma Gregory
Ozzie Gregory
Sue Griffin
Billy W. Grimes, Sr.
Nancy J. Grimes
Bobbie R. Groenhof
R. P. Groenhof
Randall Gross
Graciela Guerrero
Timmy Guy
Diane Guynes
Chris Haesche
Ken Hague
Evan Hahn
Barbara Hales
Clyde Wayne Hales
Donald J. Hales
Ernie Hales
James Hales
Judy Hales
Brandon Hall
Suzanne Hansen
Arthur & Trey Harris, III
Ken Harris
Wynne Harris
Lana Harrison
Mary M. Jennings Hartt
Laurie Headings
Ronald Headings
Daniel Heil
Michelle Heise
Margaret Helton
Elizabeth A. Herbstritt
Maritza E. Hernandez
Melanie Hernandez
Ray Herrin
Tony Herrin

James A. Herring
Sam Hickmon
Susan Hickmon
Dewana Higgins
Jamie Higgins
Margaret Hight
Chris Hightower
Beverly Hinds
Russell Hinds
Ever Hinojosa
Dorothy Hinsley
Clorinda Hogan
James Hogan
Jesse L. Hogan
Hayden Hood
Pamela Hood
Claudia Hubbard
Dorothy Hudson
Early Hudson
Tiffaney Hughbanks
Larry Hughes
Lizzie Hulsey
Ralph Hunter
John R. Hutchinson
Randall Hyman
Stephanie Hyman
Thornton E. Ireland, Jr.
Bobbie D. Irwin
Donna Isbell
Drexel R. Isbell
Lennette Isbell
Edgar Eugene Jackson
Tina Jackson
Rhonda Janosec
Tommy Jensen
Connie Jimenez
Francisco Jimenez
Charlie Johnson
Chrispen L. Johnson
Darrell Johnson
George Johnson
Phillip Johnson
Raymond Johnson
Steven Johnson
Dottie Johnson
Joe Johnson

Allen Jones
Christine Jones
Dorence Jones
Janet Jones
John E. Jones
Laura Jones
Mark Jones
Virginia Jones
John E. Jordan
Brenda S. Jorgensen
Rene Sommer Kay
Anthony Keener
Darla Keener
Donald Keener
Dustin Keener
Mart Keltch
Patty Keltch
Louise Kelly
Larry Kennedy
Wayne Killebrew
Malia King
Laurie Kirkland
Mary Lou Kirves
Randy Kitchens
Christi Kwiatkowski
Kenneth Kwiatkowski
Mattie L. Lambert
James Lamendola
Susan M. Lamendola
Jerry Lawrence
Randell Le Maire
Librado Leal
Sheila Legg
Bright LeMaster
Michael J. LeMaster
Robert Lewellen
Elise Lewis
Leonard Ray Lewis
Pattie Little
Joey Littlefair
Tommy Littleford
Jose Lopez
Norma Kay Lord
Johnny Love
Joyce Loveless
Christine Ludwig

Billy Lukasheay, Jr.
Johnny F. Lukasheay
Pat Lukasheay
David Lynch
Mary E. Lynch
Nonnie Maffett
Ron Maffett
G. Mageno
Paula J. Mann
Donald Mapston
Linda Marquardt
C. Andrew Martin
Belinda Martin
Mark Matheny
Annie Matthews
Bobby Lee Matthews
Bobby Lee Matthews, Jr.
Esmeralda McCleane
Matt McCleane
Amber McClelland
Ashley McClelland
Lisa McCloy
Johnny R. McDaniel
Leonard McDonald
Sandra J. McDonald
Christopher T. McElroy
Pattie McGee
Mike McGilvrey
Patrick McGinty
April McHenry
Dennis McNabb
Barbra Meche
Aida Medinilla
Monique E. Medrano
Janice Mendoza
Maria Mejia
Debbie Milder
Mike Milder
Joe Miller
Stefanie Miller
Peggy Mimier
Maria Miramontez
Pauline Moore
Shirley Moore
Marcelino Moreno, Jr.
Sandra Moreno

B. K. Morgan
Linda Morgan
Kay Bell Mudd
Patty Mullinax
Richard E. Mullinax
Melinda Mulock
Anita Murphy
Janet Musachio
Gordon Myers
Crystal Neal
Thomas Neitzel
Ellen Nelson
Sharon P. Nelson
Shelia Nelson
James Newton
Deborah Noble
George D. Noble
Leslie K. Norman
Bobby Novakosky
Julia Novakosky
Sandra Nuber
Glyn O'Briant
Monica Ogilvie
Dennis O'Malley
Marigrace O'Neil
Trudilee O'Neil
Deborah A. Ortega
Hilaria Ortega
Richard Ortega
Samantha Ortega
Judith O'Toole
Ray Overton
Adelle Parshall
Ric Parsley
Gladys Perez
Chris Perry
Joyce Peterson
Mary Phillips
Billy Pickering
Deborrah Pickering
Barney Pierce
Sefronia Pittman
Mark E. Plank
Cathrin M. Plaster
Homer R. Plaster
Ricky Plummer

Gwyneth Poole
Thomas G. Poole
Melanie Porrovecchio
Charles R. Powell
Susan Powell
Skip Pratt
L. A. Rains
Luciano Ramirez
Kevin Reece
Paul Reich
Louis Reiszner
Jose A. Reyes
Clelia Reyna
Julie Rice
Anthony Richardson
Wendy Richardson
David Rickard
Robbin Rickard
Clara Riggins
Larry Riggins
Priscilla Rios
Michael H. Roberts
Karen Robinson
Thomas Robinson
Mariad Robledo
Elvira Rodriguez
Billy Rogacki
Eugene H. Rogacki
Frances H. Rogacki
Agnes and Eddie E Rogers
Bobby & Faith Rogers
Shelly Rogers
Joyce Roming
Tom D. Romig
Daniel Rosales
Elizabeth Rosales
Fernando Rosales
Mary Rosales
Pedro Rosales
Refugia Rosales
Hector & Victoria Rosas
John Russell
John L. Safford
Scott Sain
Luke Saldana
Diana Salinas

Kerri Sample
Maria Santoyo
Rito Santoyo
Loran Schmidt
Robert K. Schrupp
Ruth A. Schrupp
Angie Seals
Jason Sebree
Robert O. Sebree
Joyce Selph
Lyndle Selph
R. T. Selph
Melvin Sharpe
Tamara Sherrouse
Benjamin Shields
Joe Shivers, Jr.
Michele Shrive
L. Shummay
Sherry Smalling
Cassandra Smith
John B. Smith
Leah D. Smith
Novel Snider
Kevin Soeder
Maria Gracielo Solis
Vivian Somers
H. R. Somplasky
Nikki Somplasky
Jack Spera
Mike Sproba
Anita Stalcup
Linda Standley
Ricky Standley
Jason Steiz
Neva Stern
Elke Stephens
John D. Stephens
Pete Stone
Johnie Street
Terri Street
Brain Sullivan
Gary Sullivan
Nicole Sullivan
Sandra J. Sullivan
Elaine Swaim
Michael Sykes

John D. Tate
Rhonda S. Tate
Maxey Tharp
Dale & Nancy Thrasher
Juan Carlos Torres
John Towle
James Trevathan
Kathy Trevathan
Janet Trojanowski
Aaron Turner
Jason Turner
Sandy Turner
Woodrow J. Turner
Frances Underwood
Darold Vanderwerker
Dean Vandewerker
Janis Vandewerker
Barbara Van Liew
Daniel P. Vargas
Maria Vasquez
Melinda Vega
Pam Vercher
Tommy J. Vercher
Zachary Vercher
Candace Villarreal
Faustino D. Villarreal
Faustino R. Villarreal
Lucila Villarreal
Yvonne P. Villarreal
Elanor von Tungeln
James E. von Tungeln
James E. Walkinshaw, Jr.
Debra Walters
M. Walters
James R. Watkins
Janice Watkins
Kimberly Watkins
Jimmy Weeks
Clifford Welch
Dale Welch
John L. Welch
Karen J. Welch
Dannetta West
Jody Westra
Annette White
Elizabeth Wilkerson

Jeremy Wilkerson
Johnny Wilkerson
Johnny Wilkerson, Jr.
Norma L. Wilkerson
Kimberly Wilkinson
Randy Wilkinson
Darrick Williams
Donald G. Williams
Joe K. Williams
Lacey Williams
Mary Williams

Sue A. Williams
Willie Williams
Justin Wood
Brenda F. Wright
Melba York
Thomas York
Stormy Curtner-Young
William Young
Scott Yura
Ladgie Zotyka, Jr.
Paul & Rebecca Zylman

The following people submitted an identical form letter to the TCEQ Office of the Chief Clerk from April 21, 2004 to March 10, 2005, and will be known as **Group 3**:

Richard Arnold
Darryl Barnhill
Linda Barnhill
Erin and Marie Brown
Kayla Rene Finley
Vivian R. Hickman
Tanya Hill
Donald G. Myers
Joyce Peterson
Mary Phillips
Billy Pickering
Barney Pierce
Sefronia Pittman
Mark E. Plank
Cathrin M. Plaster
Homer R. Plaster
Ricky Plummer
Gwyneth Poole
Thomas G. Poole
Melanie Porrovecchio
Charles R. Powell
Susan Powell
Skip Pratt
L. A. Rains
Luciano Ramirez
Kevin Reece
Paul Reich
Lois Reiszner
Jose A. Reyes
Clelia Reyna
Julie Rice

Anthony Richardson
Wendy Richardson
David Rickard
Robbin Rickard
Clara Riggins
Larry Riggins
Priscilla Rios
Ruth A. Schrupp
Angie Seals
Jason Sebree
Robert O. Sebree
Joyce Selph
Lyndle Selph
R. T. Selph
Melvin Sharpe
Tamara Sherrouse
Benjamin Shields
Joe Shivers, Jr.
Michele Shieve
L. Shummay
Sherry Smalling
Arlinda Smith
Michael H. Roberts
Karen Robinson
Thomas Robinson
Maria Robledo
Elvira Rodriguez
Billy Rogarcki
Eugene H. Rogacki
Frances H. Rogacki
Agnes & Eddie E. Rogers

Bobby & Faith Rogers
Shelly Rogers
Joyce Romig
Tom D. Romig
Daniel Rosales
Elizabeth Rosales
Fernando Rosales
Mary Rosales
Pedro Rosales
Refugia Rosales
Hector & Victoria Rosas
John Russell
John L. Safford
Scott Sain
Luke Saldana
Diana Salinas
Kerri Sample
Michael E. Sample
Maria Santoyo
Rito Santoyo
Carol Saxon

Loran Schmidt
Robert K. Schrupp
Cassandra Smith
John B. Smith
Leah D. Smith
Novel Snider
Virginia Snider
Kevin Soeder
Maria Gracielo Solis
Vivian Somers
H. R. Somplasky
Nikki Somplasky
Jack Spera
Mike Sproba
Anita Stalcup
Linda Standley
Ricky Standley
Marla Todd
Elanor P. von Tungeln
James E. von Tungelen
Mark Wiggins

The following people submitted identical comment letters and will be known as
Group 4:

Rachel Amacloe
Helen Barge
William E. Boles
Bonita L. Booth
Stephanie A. Brennan
Tom Brennan
Douglas Cockerham
William Cockerham
Amy C. Colvin
Peggy Sue Davis
Norma J. Gibson
Vernie J. Gibson
James Harper
Tommy Jensen
Dalva Keener

Stanley Lambery
Howard Launius
Everette Lawson
Barbara Mayeux
Barbara McCleane
Donald G. Myers
Mrs. Don Myers
Paul R. Simmons, Jr.
Brandi Theode
Jessie Van Liew
Jim Vaught
Elanor von Tungeln
Jim von Tungeln
Craig Welch
Sandy Welch
Charlotte Williams

The following people submitted identical comment letters and will be known as
Group 5:

Sandy Kelldorf

Shirley & Sigmond Pzyliorslie

David R. Rolle

Rebecca Rolle

The following people submitted identical comment letters and will be known as **Group 6:**

Mary Lou Kirves
Jack Spera

Pete Stone

The following people submitted identical comment letters and will be known as **Group 7:**

Candie Faubion
Thomas Faubion
Alan Fortenberry

Dan Mize
Stephen Norris
Robert L. Stevenson

The following people signed a petition and will be known as **Group 8:**

Juan & Leticia Aguilar
Daniel Barnett
Sharon Barnett
Rogelio Baroenus
Samantha Baumgarten
Lety & Mike Bieniek
C. B. Boudréaux
Rachel Bratcher
Janine Bryant
Jon Buckholtz
Tracy Cadengo
Billy Collier
Jason Cowart
Pat Crowley
Mary Ann Daniels
Judy C. Dehart
J. R. De Leon
Marde De Leon
Sunnie De Leon
Janice & Pat Ferrer
Rick Finery
Homer Galicia
Rachel Giblin
Leah Gonzales
Jack Grant
Frank Harris, Jr.
Maggie Harris
J. O. Hudson

Roxanna Hudson
Lee and Tina Leal
William Maddox
Amanda McShan
Kenneth R. Meuth
Kimberly Oneal
Marvin Orsack
Brian Peterman
Lance Pigott, Jr.
Lupita Miles Pigott
Fay Pilkington
Gregoria Ramirez
Raquel Ramirez
Tomas Ramirez
Charles E. Richmond
Diana Richmond
Earlene Santo
John & Leah Smith
Justin A. Theriot
Keith A. Theriot
Paul Vyoral
Johnny Walker
Shannon Winton
Michael Wolf
Dalton Woolery
Patty Zarate
3 Concerned Citizens

The following people signed a petition and will be known as **Group 9**:

Heather Adams	Andy Mendiola
Bruce Bishop	Brenda Mendiola
Beth & Ricky Brecheen	Grace Mendiola
James P. Byrd	Jennifer Mendiola
Shelly Cartwright	Morris Miller
Chris & Dana Chaffee	Celeste Nance
Chris Chambers	Julia & Max Neely
Paul Clark	Marigrace O'Neil
Ronald Converse	Mary Page
Claudean Cook	Roxanne Pickering
Carolyn Cotton	Charles R. Powell
Trayton Davis	Kristy Powell
Chevis Dodd	Susan Powell
Renee Donald	Nora Renteria
Barbra Dowden	Gina Rose
Paul Dowden	Jerri Rose
Elisha Elliff	Eric Salus
Linda Evans	Harlan Schuettpelz
Frank Fanning	Eileen Sowell
Cyndi Foreman	Hank Sowell
Gregg Grinage	Sibyl Spence
Rachael Grinage	Donnye Spradley
Joan Hammock	Kenneth Stalling
Tommy Hardcastle	Thomas Stevens
Linda Hawthorne	Barbra Storrs
Tony Herrin & Pattie McGee	Janith Stowers
Jesus Jacobo	Carey Thomas
Nancy Jenkins	Eleanor Tupa
Thomas Jenkins	Manuel Vazquez
Louise Jessip	Mary Vazquez
Rachel Jimenez	Lenurma Verm
Martin Kennedy	Connie Vick
Robert Kuyon	Robert Vineyard
Sharon Labian	Frances Ward
Penny T. Lohr	Zulema Wells
Donald Mapston	Kimberly & Randy Wilkinson
Doug Mapston	Steve O. Wilkinson
Wndy Martin	Destiny Winn
Mike McClintock	Carla Woodward
Andres Mendiola	

The following people signed a petition and will be known as **Group 10**:

Kathleen M. Adams

Richard J. Adams, Jr.

Wesley T. Adkins
Kathy Armstrong
Raymond Atkinson
Richard Atkinson
Rodney Atkinson
Luis Azuara
Judy Banks
Elizabeth Barbosa
Melissa & Rick Barton
Corallyn Berger
Magnolia & Wayne Boehm
Ernest & Marie Brown
Jenise & Phillip Cemino
Paul Clark
Floyd Collins
Linda Collins
Lee Compton
Doug & Tami Couey
Sam Croce
Diana Crowson
William Crowson
David & Karen Deschmer
Mark & Monica Direnna
Sonny Donaldson
Deborah K. Doran
Leroy Dudley
Jerry Evans
Richard W. Fendley
Barbara Gandy
Robert Gandy
Sidney Gaylord
Betty Gregg
Fred Gregg
Suzanne Hansen
Dewana & Jamie Higgins
Rusty Ireland
Eugene & Tina Jackson
George Johnson
Dorene Jones
Randy Kitchen
Librado Leal
Joe Leggett
Patti Little
Susie & Thomas Machen

Terry Mann
Bobby L., Jr., & Patsy Matthews
Betty & Louis McGuire
Jeff L. McKinney
Dennis McNabb
David C. McQueen
Destiny & Tom Miller
Arguimiro Molina
Bryan & Lisa Neal
Glyn O'Briant
Monica Ogilvie
Marigrace O'Neal
Trudilee O'Neal
Gladys Perez
Linda & Robert Phillips
Billy & Deborrah Pickering
Jessica & Larry Rancher
Danielle & Paul Reich
David Rendon
Agnes & Eddie Rogers
Alan Schuler
Gordon & Jerri Sealy
Melvin Sharpe
Brad & Michele Shrieve
Arlinda & Billy Smith
Cassie & James Smith
Leah Smith
Linda Smith
Donnie & Rebecca Sutton
Maxey Tharp
Barb Van Liew
Daniel Vargas
Candice Villarreal
Chris Walker
John & Vicki Warner
G. W. Wayman
Jimmy Weeks
Dale Welch
John Welch
Karen Welch
Clifford D. Welsh
Joe K. Williams
James Woodall

The following people signed a petition and will be known as Group 11:

Roy W. Abramson
Misty Adams
Richard J. Adams, Jr.
Lewis Akin
April Allen
Jeff Allman
Melanie Antiller
Carlos Arreola
Raymond Atkinson
Richard Atkinson
Luis F. Azuara
Melinda Bacon
Jimmy Bagley
Clayton Bagwell
Avery Ballard
Cindy Jenkins Bayer
Dustin Beckham
Glenn Bell
Alicia Bentley
Coralyn Berger
Stephanie Bigs
James R. Bingham
Betty Blackman
Nicole Blake
Amy Blanton
Carrie Blanton
Taina Blanton
Magnolia C. Boehm
Wayne Boehm
Fran Bogert
Al Bolt
Kathie Boswell
Virginia Boswell
Joe Bowman
Stephen Boyles
David & Shari Bracewell
Deborah Briggs
Pat Brookshire
Dennis Brown
Dorothy M. Brown
Frieda Brown
Jack Brown
Lee Brown
Ken Burling
Mark Cadwallader

Robert E. Caldwell
David Campbell
Stephen Carle
David Carr
Tera Carrasco
Hayle Casey
R. Cash
Carol Castanon
Louis Castanon
Jenise & Phil Cemino
Brian Chaloupka
Darrell Chaloupka
Vallye W. Chandler
Jo Chapman
Ann Cheatham
Rickie Childers
Barbra Christiansen
Jason Christiansen
John Cisneros
Pat & Paul Clark
Billy & Myla Cobler
Charles & Doris Coburn
Christy Coburn
William Coburn
Becky Colebank
Carl Comstock
Connie Contreras
Thomas L. Cook
Scott Coshrey
Teresa Coshrey
James Couch
Doug & Tamara Couey
Bill Cruz
Jesus Cruz
Julie Culver
Elvis & Pat d'Agrella
Bruce Dailey
Karla Darden
Robert Darden
Ayha Darvey
David Lynn Dauzart
Terry Dauzart
Argelio De Leon
Esmeralda De Leon
Mabry Dellyer

David Dempsy
Gail & R. Dewey
Matt Dodd
Deborah K. Doran
Durwood Doss
Durwood Doss, II
L. V. Dowden
Amy Downs
James Doyal
Leroy Dudley
Tami Dudley
Gregg Dunn
L. E. Dunn, III
Mary Edwards
Wendy Ellis
Kenneth Essman
Karen Eudy
Phil Eudy
Shawna Everett
Barry Fantes
Tara Fay
Kenita Fendley
Cheryl Fincher
Bobby Finley
Brandon Ford
Matthew & Tanci Foster
Julia & Scott Frankenfield
Rex Fry
Jo Anne Galulman
Esteban Garcia
Juan Garcia
Stacey Garee
Gary & Jess Garner
F. P. George
Maureen M. Golden
Cara Jo Gonzalez
Kelly Gorrell
Betty Grantham
Randy Gross
Brittany Gullette
Ken Hacker
Denise Hall
Justin Hambrick
Debbie Hancock
Bruce Hansen
Mark Harrell

Harry Harris
Wynne Harris
Tracey Marie Harrison
Mary Hartt
Rhonda Harvey
Bryan Hayes
Tammy Haywood
Laurie & Ron Headings
Brenda & Trey Hearn
Joseph Hemby
Carol Hennessy
Kathy Hernandez
Tony Herrin
Lisa Hessler
Jamie Higgins
David Hinder
Beverly Hinds
J. L. Hodges
Clorinda Hogan
Dwayne & Pam Hood
Chanhe Horton
Claudia Hubbard
Jeff Hunter
Stacie Hunter
Theresa Hymil
Toni Inglet
Rusty Ireland
Don Johnson
Jolene Johnson
Marty & Rene Kay
Mart Keltch
Patty Keltch
Bryan Kelley
Morgan Kelley
Devan Kendrick
Sharon Kendrick
Vincent Scott Kendrick
Larry Kennedy
Kara Kern
Jennifer Kirk
Zachary C. Kirk
Jennifer Knight
Susan Koskoc
Ruby Krautkremer
John Kuke
Tracey Kurtz

Angela Kyle
Tamara Lambdin
Jim Lamendola
D. LaRouche
Kevin & Melanie Lawson
Librado Leal
Sherry LeBlanc
Anita Lee
Sandy Lehman
Bright & Michael LeMaster
Raymond Lewis
Mark Lichman
Charles Lightfoot
Jill Limbaugh
Phillip Lindsey
Patricia Little
John Long
George R. Longmore
Donald Loosier
Jim Luton
Stella Luton
Brandi Lyons
Susie & Thomas Machen
Susie Machen
Tommy Machen
Brenda Mackey
Mark Maddox
Sharon Maddox
Raileen Mangurn
Kenneth Manzella
Jennifer Martinez
Mark Matheny
Bobby & Patsy Matthews
Susan Matthews
Travis Mayeux
Matt McCleane
Wanda Laynette McCray
Pattie McGee
April McHenry
Michael McKay
Cindy & Phillip McKenzie
Ronny McKinnie
Stephane McMillan
Amy McMullen
Trey Meador
Matt Medford

Aida Medinilla
Albert Menard
Linda Menard
Josh Merimon
Diana Merrell
J. Miles
S. Miller
Kellie Montgomery
Cindy & Terry Moon
Tammy Moore
Robert Morgan
Bobby Morris
Ella May Morris
Michael Moris
Vickie Morse
William Mozingo
Alisa Murphy
Susan Murrell
Kevin Myers
Mark Nalty
Tiffany Neal
Albert Nelson
Shelia Nelson
Deborah Noble
George D. Noble
Paula Noble
Ranee Nolern
Dianne Nuget
Doris O'Dell
Dennis O'Malley
Mary O'Malley
Matt O'Malley
Marigrace O'Neil
Debbie Orsack
John & Pattie Ortega
Judith O'Toole
Melinda Parker
Michael W. Parker
Betty Parmer
George Parmer
Avery Patterson
Mariann Patterson
Melanie Perdue
William Petty, Jr.
Linda Phillips
Janie Piccis

Susan Pine
Darrel Pinksion
Eric Powell
Michelle Pule
William C. Quimm
Geraldo Ramirez
Diana Real
Robby Real
David Rendon
Link Reneau
Mary Rich
Ermajean Ritter
Judy Robertson
Scotty Robinson
Jim Rogganbock
Johnny Rothe
S. W. Rutherford
Cynthia Sam
Lamont Sam
David Sams
Brandon Sanders
Maruea Sangstear
Sparky A. Santana
Brenda Schank
Robert Scharee
Kenneth Schelsteder
Mr. & Mrs. Schulmire
Gordon Sealy
Jerri Sealy
Vinson Sealy
Judi Self
R. F. Shannon
Cyndi Simmons
Lee Simmons
Tracy Simonsen
John Small
Cassie Smith
Jerrie Smith
John & Leah Smith
Nikki Somplasky
Jan & Ron Stallworth
Linda Standley
Nick Steele
Bart Steen
Linda Stegenga
Analeisa Stern

Jeff Stern
Connie Stipanic
Bryan Stuart
Colette Talbert
George Tambourides
David Tate
Rhonda Tate
H. W. Taylor
Joyce Taylor
Claude A. Teal
Debra Teekamp
Floyd Temple
Debbie Thiel
Amy Thomas
Hailey Thomas
Michael Thomas
Pat Thomas
Tracie Thomas
Janice Thomason
Scott Thompson
Sheri Thompson
Jack S. Torrence
Marcia Townsend
Debra Trammel
H. Eugene Trammel
Josh Travesse
Ross Travesse
Ross Tuff
Stan Tully
Amanda Middel-Urby
Cabrilla Valdes
Dee Van
Barb & Dick Van Liew
Max Vickers
P. H. Bickey
Faustino D. Villarreal
Yvonne P. Villarreal
Jim von Tungeln
Ashlea Vyoral
Doug Vyoral
Rachel Walker
Tammy Walker
Bobby L. Walters
Debra Walters
Loni Walton
Danny & Donna Warner

Beckie Warren
Paula Warren
Shannon Warren
Sue Wayford
Donna Weaver
Randall Weaver
Jordan Wedgewood
Dale Welch
Karen Welch
Heath Wells
Jody Westra
Marie Whiddon
Judy Whitten
Joe K. Williams
David E. Wilson

Diane A. Wilson
Jacqueline Woychesin
Ricky Woychesin
Kristin Wright
Charles W. Yawn
Sercy Yawn
Banica Young
Bubba Young
Lila Young
Racheal Young
Ray Young
Richard Young
Karen Zeller
Paul Zylman
26 Concerned Citizens

This Response addresses all such timely comments received, whether or not withdrawn. If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance at 1-800-687-4040. General information about the TCEQ can be found at our website at www.tceq.state.tx.us.

BACKGROUND

Description of Facility

The Applicant has applied to the TCEQ for a new permit that would authorize the construction and operation of a new Type IV municipal solid waste landfill in Montgomery County, Texas. The proposed landfill would primarily serve the construction and demolition needs of Montgomery County, but may also serve the surrounding counties. The total permitted facility will include 473.0 acres of land of which approximately 207.1 acres will be used for waste disposal. The final elevation of the waste fill and soil cover material will be 408.29 feet above mean sea level. Waste acceptance rate is expected to average approximately 3,000 tons per day.

If the Commission issues the draft permit, the site will be authorized to accept municipal solid waste resulting from, or incidental to, construction, demolition and grounds keeping activities, including brush, construction and demolition waste, rubbish, inert material, man-made inert material, trash, yard waste that is free from putrescible and household waste, scrap tires that have been slit and quartered or shredded, but not from a tire disposer or recycler that is reimbursed from the State Waste Tire Recycling Fund, and other waste as approved on a case-by-case basis by the Executive Director. The site is not able to accept those waste streams that are expressly prohibited by 30 TAC Chapter 330, including but not limited to hazardous waste, Class 1 non-hazardous industrial waste, Class 2 non-hazardous industrial waste, Class 3 non-hazardous industrial waste, regulated radioactive waste, waste containing regulated polychlorinated biphenyls, putrescible waste, household waste, liquid waste, water and wastewater treatment sludge, grease or

grit trap wastes, special wastes, and waste material that may cause odor or nuisance or that may require excessive or special on-site procedures and handling requirements.

If the Commission issues the draft permit, the facility will be located at 3761 North Walker Road, approximately 1.4 miles north of the intersection of North Walker Road and SH 105, abutting the west side of North Walker Road. The location is outside any city limits. The land within one mile of the proposed facility is 60% undeveloped or agricultural, 39% residential with some agricultural use, and 1% industrial. The structures that are within one mile of the facility are primarily homes and some structures incidental to agricultural uses. There are approximately 780 people that reside within one mile of the proposed facility, with nine structures and habitable buildings within 500 feet of the permit boundary. The nearest structure is approximately 75 feet east of the permit boundary and about 1,150 feet east of the waste cell.

Procedural Background

The application was received on March 17, 2004, and declared administratively complete on April 4, 2004. Notice of Receipt of Application and Intent to Obtain a Municipal Solid Waste Permit (NORI) was published on April 21, 2004 in the *Conroe Courier*. Notice of Public Meeting was published on July 19, 26, and August 2, 2004 in the *Conroe Courier*, and a public meeting was held in Conroe, Texas on August 9, 2004. The Executive Director completed the technical review of the application on October 21, 2004, and prepared a draft permit. Notice of Application and Preliminary Decision for a Municipal Solid Waste Permit (NAPD) was published on November 25, 2004. Notice of Public Meeting was published on February 17, 24, and March 3, 2005 in the *Conroe Courier* and the *Houston Chronicle*, and a public meeting was held in Conroe, Texas on March 10, 2005. The Executive Director prepared his original Response to Public Comment, and filed it with the TCEQ's Office of the Chief Clerk on July 6, 2006.

On November 10, 2006, the Executive Director received an amended application for review. The Executive Director completed the technical review of the amended application on September 7, 2007, and a second NAPD was published on December 21, 2007 in English in the *Conroe Courier* and *Houston Chronicle*, and in the Spanish language newspaper of general circulation in Montgomery County, *El Sol*. Notice of Public Meeting was published on March 20, 27, and April 3, 2008 in the *Conroe Courier* and the *Houston Chronicle*, and a public meeting was held on April 10, 2008 in Conroe, Texas. The comment period ended the day after the conclusion of the April 10, 2008 public meeting. There are no gaps in the comment period for this application. The comment period for this application opened March 17, 2004, and closed April 11, 2008. This application was administratively complete on or after September 1, 1999; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801 (76th Legislature, 1999).

Access to Rules, Laws, and Records

The Commission's current rules may be accessed online by using the Texas Administrative Code (TAC) viewer feature on the Texas Secretary of State website at: www.sos.state.tx.us (Select "State Rules & Open Meetings," then "Texas Administrative Code," and then "TAC Viewer").

30 TAC Chapter 330, Municipal Solid Waste, was amended by the TCEQ, effective March 27, 2006.¹ Since the application was declared administratively complete on April 4, 2004, it was reviewed in accordance with 30 TAC Chapter 330 prior to the 2006 amendments. The archived rules are available through the TCEQ's website at www.tceq.state.tx.us (Select "Rules," then "Municipal Solid Waste Chapter 330 Rules prior to March 27, 2006")

Texas statutes may be accessed through the Texas Legislative Council's website at: <http://www.tlc.state.tx.us> (Select "Internet Resources," then "Texas Statutes").

General information about the TCEQ can be found at our website at: www.tceq.state.tx.us (For downloadable rules in Adobe PDF format, select "Rules," then "Current TCEQ Rules," then "Download TCEQ Rules")

Federal statutes and regulations may be accessed through the Environmental Protection Agency (EPA) website at: www.epa.gov (Select "Laws & Regulations").

Commission records for this facility are available for review and copying during regular business hours at the TCEQ's Office of the Chief Clerk, Building F, 12100 Park 35 Circle, Austin, TX. 78753. A copy of the amended application and draft permit are currently available for review and copying at the Montgomery County Library in Conroe, Texas; and will remain there until either the TCEQ acts on the application, or the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.

COMMENTS AND RESPONSES

COMMENT 1: (Notice)

Those people identified in Group 11 commented that the public notice did not provide enough time for citizens to take action. Mary Jennings Hartt agreed and considered the timing of notice issue to be a violation of the due process clause of the 14th Amendment of the U.S. Constitution.

RESPONSE 1:

The TCEQ's notice requirements at 30 TAC §§ 39.405, 39.413 and 39.501 require that notice be published in the paper of largest general circulation in the county where the new MSW facility is proposed to be located and mailed to adjacent property owners, persons who have requested to be on the mailing list, and designated public officials and agencies. An applicant is required to publish a NORI within 30 days of the

¹ See 31 Tex. Reg. 2502 (March 24, 2006).

Executive Director declaring its application administratively complete.² An applicant must publish a NAPD within 45 days of the NAPD being mailed by the TCEQ's Office of the Chief Clerk.³ TCEQ rules require that a public meeting be held on all applications for new MSW facilities received before September 1, 2005.⁴ The decision to hold a public meeting on applications for new MSW facilities received after September 1, 2005 is determined by the factors set forth in 30 TAC §§ 39.418(e) and 55.154. The applicant for a new MSW facility is required to publish notice of a public meeting once a week during the three weeks preceding the public meeting in the paper of largest general circulation in the county in which the facility is proposed to be located.⁵ These requirements were designed to ensure meaningful public participation in the permitting process.

In this case, the original application was filed on March 17, 2004, and declared administratively complete on April 4, 2004. The NORI was published on April 21, 2004 in the *Conroe Courier*. Notice of Public Meeting was published on July 19, 26, and August 2, 2004 in the *Conroe Courier*, and the public meeting was held in Conroe, Texas on August 9, 2004. The NAPD was published on November 25, 2004. Notice of Public Meeting was published on February 17, 24, and March 3, 2005 in the *Conroe Courier* and the *Houston Chronicle*, and a public meeting was held in Conroe, Texas on March 10, 2005. On November 10, 2006, the Executive Director received an amended application for review. The Executive Director completed the technical review of the amended application on September 7, 2007, and a second NAPD was published on December 21, 2007 in English in the *Conroe Courier* and *Houston Chronicle*, and in the Spanish language newspaper of general circulation in Montgomery County, *El Sol*. Notice of Public Meeting was published on March 20, 27, and April 3, 2008 in the *Conroe Courier* and the *Houston Chronicle*. A public meeting was held on April 10, 2008 in Conroe, Texas. The Executive Director has determined that the Applicant has timely complied with all applicable notice requirements.

COMMENT 2: (Alternative Language Notice)

Gabriela Gonzalez, Francisco Moctezuma, Nora Renteria, David Tate (CAML), Rhonda Tate, and Jacqueline Woychesin commented that the TCEQ did not provide public notice in Spanish. Francisco Moctezuma would have liked the opportunity to speak and give his opinion in Spanish.

RESPONSE 2:

At the time the original application was declared administratively complete, alternative language notice newspaper publication requirements were only applicable to air permits. However, in November of 2005 the TCEQ amended its rules, subjecting waste and water quality permits to alternative language notice newspaper publication

² 30 Tex. Admin. Code §§ 39.405(a) & 39.418(b) (West 2008).

³ 30 Tex. Admin. Code § 39.405(a) (West 2008).

⁴ 30 Tex. Admin. Code § 39.501(e) (West 2008).

⁵ 30 Tex. Admin. Code §§ 39.405(f)(2) & 39.501(e)(5) (West 2008).

requirements as well.⁶ After filing its amended application on September 7, 2007, the Applicant was required by 30 TAC § 39.405(h) to publish its second NAPD in both English and Spanish. The second NAPD was published on December 21, 2007 in English in the *Conroe Courier* and *Houston Chronicle*, and in the Spanish language newspaper of general circulation in Montgomery County, *El Sol*. For this application, eighteen people gave written or formal comments in Spanish. All comments received by the TCEQ on this application, whether they were made in English or in Spanish, are addressed in this Response.

COMMENT 3: (Public Meetings and Contested Case Hearings)

Jeff Allman, Raymond Atkinson, Darryl and Linda Barnhill, Martha Barr, Thomas Beers, Ken Burling, Diannia Carter, Jenise Cemino, Phillip Cemino, Ann Cheatham, Evelyne Collins, David Lynn Dauzart, Terry Dauzart, Dean Duskin, Janice Ferrer, Pat Ferrer, Charles Fitzgerald, Tanci Foster, Bill Franks, Susan Franks, Jessica Gonzalez, Judith Horne, Claudia Hubbard, Mary and Robert Hutseal, Gloria Jensen, Minnie and Normane Kaatz, Ernest Kanak, Jr., Shelagh Kasinger, Mary Lou Kirves (Texas Real Estate Group), Joseph Kocurek, Alexandria, Antonia, and Tasha Lacina, Frank Lee, Leona Lee, Reverend Jim Luton, Stella Luton, Susana Magana, Esmeralda McCleane, Jose Mejia, Alisa Murphy, Ellen Nelson, Marigrace O'Neil, Edward Parten, Billy Pickering, Deborrah Pickering, Greg Poole, Oscar Ramirez, Lois Reiszner, Sandy Relander, Link Reneau, Nora Renteria, Normo Reyes, Jack Safford, Gary and Sandra Sullivan, Rhonda Tate, Debra Teekamp, Vicki Thompson, James and Kathy Trevathan, Frances Underwood, Michael Walton, and Jacqueline Woychesin commented that the public meeting facilities were inadequate for the number of people.

Martha Barr, Gabriela Gonzalez, and Rhonda Tate commented that cancellation of the informal part of the public meeting denied some people a chance to ask questions. Those people identified in Group 4, Group 8, Group 10, Group 11, and Charles Buzbee, Mary Carter (CAML), Mel Fife, Maria Figueroa, Linda Standley, Linda Stegenga, David Tate (CAML), David and Rhonda Tate, and Jacqueline Woychesin commented that the public meeting was unsatisfactory because the Applicant's representative could not answer basic questions and concerns. Mary Carter (CAML) requested that the Applicant hold another public meeting rather than replying by email to written questions. Linda Standley was concerned that the Applicant refused to answer general questions. Mary Jennings Hartt asked the TCEQ to take into account the Applicant's refusal to answer questions at the public meeting, and commented that the Applicant's lack of responsibility to the community might bear upon the facility's environmental compliance once it was built. William Carter commented that the protesters at the public meeting were being treated like mushrooms.

Those people identified in Group 4, Group 8, Group 11, and Mel Fife, Judith Horne, Melody Logan, and Carol Parten commented that the public meeting should be in Montgomery County. Denise Bell, Linda Collins, Tina Collins, Norma Gibson, Duane and Tracy Hamilton, Albert and Shelia Nelson, Billy Wagon, and Karen Welch

⁶ See 30 Tex. Reg. 7878 (November 25, 2005).

commented that the contested case hearing should be in Montgomery County. Rhonda Tate commented that the Applicant was allowed to control the public participation process from the beginning and that the TCEQ ignored requests for a different venue.

RESPONSE 3:

Four public meetings have been held in Montgomery County regarding this permit application. The first meeting was held by the Applicant on April 22, 2004, pursuant to 30 TAC § 39.501(e)(1)(B). This first public meeting is intended to be strictly between an applicant and concerned members of the public; no one from the TCEQ attends this first public meeting. The Executive Director received several comments from people who attended the first public meeting indicating that the Applicant's representative was unable to answer all of the questions posed during the meeting.

The second public meeting was conducted by the TCEQ at Conroe Tower in Conroe, Texas on August 9, 2004. The Applicant and TCEQ staff were led to believe that Conroe Tower was an appropriate location to hold the public meeting based upon the amount of interest shown in the permit, accessibility of the location, and proximity to the proposed facility. Unfortunately, Conroe Tower was unable to accommodate the number of people who wished to attend the second public meeting. The format of the second meeting was altered on the spot by eliminating the informal question and answer period in order to allow more time for interested persons to rotate into and out of the meeting room to make formal comments. The informal question and answer period is not required by rule, and the second public meeting conformed to all applicable TCEQ requirements. However, due to the dissatisfaction expressed during the second public meeting and immediately thereafter, the TCEQ conducted a third public meeting in order to accommodate all interested parties.

The third public meeting was conducted by the TCEQ on March 10, 2005 at Caney Creek High School in Conroe, Texas. The Applicant attended this meeting, but did not answer questions during the informal question and answer session. TCEQ rules require an applicant to attend a public meeting, but do not require an applicant to respond to questions during the informal question and answer session. TCEQ staff answered questions from concerned citizens. The third public meeting conformed to all applicable TCEQ rules.

The fourth and final public meeting was conducted by the TCEQ on April 10, 2008 at Caney Creek High School in Conroe, Texas. This public meeting was held at the request of State Senator Robert L. Nichols. The Applicant attended this meeting, and answered questions during the informal question and answer period regarding the amended application submitted to the Executive Director on November 10, 2006.

The TCEQ's Office of the Chief Clerk has received a number of contested case hearing requests on this application. The Commission will consider these requests at a Commissioners' agenda meeting, and refer all relevant and material issues to the State Office of Administrative Hearings (SOAH). The SOAH Administrative Law Judge

(ALJ) will determine the appropriate venue for the hearing. Pursuant to 1 TAC § 155.403, the SOAH ALJ will designate a neutral hearing site in accordance with applicable law. When considering a hearing site not in Austin, the ALJ may consider: 1.) the amount in controversy, 2.) the number of persons in the geographical region affected by the outcome of the hearing, 3.) the estimated length of the hearing, 4.) the availability of hearing facilities, 5.) the costs to and preferences of the parties, 6.) the location of witnesses, 7.) the availability and feasibility of videoconference technology as a means to reduce costs to SOAH and the parties, 8.) legislative restrictions on travel, and 9.) any applicable law or other factor relevant to the fair and expeditious resolution of the case.⁷

COMMENT 4: (State and Local Government Involvement)

David Henderson, Linda Standley, and Michael Walton commented that the citizens unanimously disapproved of the landfill. County Commissioner Ed Rinehart said that the landfill was being forced on a community that did not want it. Judge Alan Sadler commented that the Montgomery County Court was not aware of certain issues when it supported the site. Jim Dawson and Linda Standley commented that state and local officials had spoken out against the site, and that there was no resolution supporting the site by a local governing body. Jacqueline Woychesin commented that the community and governmental entities were not involved in the siting process. Linda Standley, Linda Stegenga, David Tate (CAML), and David and Rhonda Tate commented that the City of Conroe resolution in favor of the landfill was meaningless because Conroe was not a relevant area. CAML commented that the Houston-Galveston Council of Governments made specific substantive comments regarding the application. Mr. and Mrs. Joe Esposito commented that they were tired of being dumped on by the public servants of Conroe. Monte Lane commented that he believed the Applicant contributed to Commissioner Rinehart's campaign fund. Linda Standley commented that the application seemed inconsistent with regional planning goals. Those people identified in Group 1, Mary Carter (CAML), and David Tate (CAML) commented that the Applicant had failed to demonstrate that its facility would comply with the regional solid waste management plan developed by the Houston-Galveston Council of Governments.

State Representative Ruben Hope, Jr. commented that he would be working with the County Attorney to revise Texas Health and Safety Code Sections 361.122 and 361.123. Linda Standley commented that the application seemed to be prohibited by the Texas Health and Safety Code. Angus Lupton commented that Senator Staples would be looking into whether this area needed another landfill.

RESPONSE 4:

TCEQ rules do not require an applicant to obtain a resolution by a local governmental entity in support of its application for a new MSW facility. Resolutions passed by local governments in support or opposition to an application are given the same weight as any public comment. Pursuant to 30 TAC § 330.53(c)(10), an applicant is required to submit a demonstration of compliance with the regional solid waste

⁷ 1 Tex. Admin. Code § 155.403(b) (West 2008).

management plan.⁸ The regional solid waste management plan for Montgomery County was developed by the Houston-Galveston Council of Governments (H-GAC). Pursuant to TCEQ rules, H-GAC was provided with a copy of the application summary. While H-GAC issued a statement that the proposed facility is “neither consistent nor inconsistent with the Solid Waste Regional Plan,” the regional solid waste management plan indicates that a Type IV landfill is needed in Montgomery County. The Applicant provided information demonstrating the proposed facility conforms with the regional solid waste management plan for Montgomery County.

During the regular session of the 79th Texas Legislature, State Representative Ruben Hope, Jr. introduced House Bill (HB) 1053. HB 1053 was sponsored in the Senate by Senator Todd Staples. HB 1053 amended the Texas Health and Safety Code by adding Section 361.123, which prohibits the TCEQ from issuing a permit for a Type I or a Type IV MSW landfill in counties that are adjacent to a county with a population of more than 3.3 million and inside the boundaries of a national forest on public or private land.⁹ HB 1053 only applies to applications received by the TCEQ on or after the effective date of the bill.¹⁰ HB 1053 was passed by a two-thirds vote in both houses, signed by the Governor on June 18, 2005, and was effective upon his signature.¹¹ The original application was received by the TCEQ on March 17, 2004, predating the effective date of Section 361.123; therefore, Section 361.123 does not affect this application.

COMMENT 5: (National Forest Land)

Melba York commented that the proposed location of the landfill was in a National Forest, where the clearing of large acres of trees is prohibited. Ms. York also asked how Sam Houston National Forest would be affected by the landfill.

RESPONSE 5:

According to the application, the proposed facility will be located on private property owned by the Applicant. The Executive Director does not anticipate that the proposed landfill will adversely affect the Sam Houston National Forest.

COMMENT 6: (General Comments About Process)

Samantha Baumgarten and County Commissioner Ed Rinehart commented that the permitting process took too long, and that the TCEQ was not acting wisely or efficiently. Linda Standley commented that the application should be carefully scrutinized for mistakes.

⁸ 28 Tex. Reg. 6900 (August 22, 2003), *repealed by* 31 Tex. Reg. 2502 (March 24, 2006).

⁹ Texas Health & Safety Code § 361.123(b) (West 2008).

¹⁰ Texas Health & Safety Code § 361.123 historical note (West 2008) [Act of May 26, 2005, 79th Leg., R.S., ch. 1027, § 2, 2005 Tex. Gen. Laws 3485].

¹¹ Texas Health & Safety Code § 361.123 historical note (West 2008) [Act of May 26, 2005, 79th Leg., R.S., ch. 1027, § 3, 2005 Tex. Gen. Laws 3485].

RESPONSE 6:

Review times for the TCEQ permitting process are defined in TCEQ rules in accordance with state law. This application review has gone well beyond the typical time frame due to the extension of the comment period to allow for the third and fourth public meetings, the submission and subsequent technical review of the amended permit application, and responding to extensive public comment. Every application received by the TCEQ is reviewed to ensure compliance with all applicable rules.

COMMENT 7 (Environmental Public Defender)

Frinkie Milley asked why the community had to raise \$250,000 to fight a landfill, and commented that the state should provide an attorney.

RESPONSE 7:

An attorney is not necessary to participate in the public participation process. However, a citizen may employ legal counsel if he or she wishes. Neither federal nor state law requires the state to provide counsel in administrative law matters.

COMMENT 8: (Previous Application)

Dino Villarreal commented that there were inconsistencies between the application for MSW Permit No. 2324 and MSW Permit No. 2312.

RESPONSE 8:

The Applicant initially filed an application for MSW No. 2312, but withdrew that application on January 30, 2004, after failing to hold the mandatory applicant-led public meeting within 45 days of filing the application.¹² Every application received by the TCEQ is evaluated as a stand-alone document. Once an application is withdrawn it is no longer considered in any capacity. TCEQ rules do not require consistency between current applications and prior applications that have been withdrawn.

COMMENT 9: (Major Amendment)

Cheryl Burks asked how the application could move forward after the Applicant made a major change to the application information.

RESPONSE 9:

An amendment to an application that would constitute a major amendment under 30 TAC § 305.62 can be made by an applicant after the chief clerk has issued notice of the application and draft permit, if new notice is issued which includes a description of

¹² 30 Tex. Admin. Code § 39.501(e)(1)(B) (West 2008).

the proposed amendments to the application.¹³ On November 10, 2006, the Applicant submitted an amended application for review. The amended application was declared technically complete on September 7, 2007, and a second NAPD was published on December 21, 2007. Another public meeting was also held on April 10, 2008, allowing the public to comment on the amended application.

COMMENT 10: (Landfill Expansion)

Vallye W. Chandler expressed her concern that the landfill could be expanded at a later date.

RESPONSE 10:

TCEQ rules allow a permittee to expand a landfill both horizontally and vertically by submitting a permit amendment.¹⁴ Increases in the maximum elevation, volumetric waste capacity, or the lateral expansion of a landfill, other than changes to expand the buffer zone, require applicants to submit a new permit application.¹⁵ Major amendments to MSW permits are subjected to the same review and public participation processes as new permit applications.¹⁶

COMMENT 11: (Location & Community Need)

Luine Hancock (State Senator Robert Nickols) commented that the location for the proposed site was prime for residential development and commercial construction, and disagreed with the Applicant's site selection. Garry Biddle suggested that the site be dug out for a new fresh water reservoir or lake, with the waste transported by train to a deserted area. Dr. Dellanira Rangel also suggested that the landfill be located in a deserted area. Jim Dawson commented that the Applicant violated his responsibility to select a landfill site that was isolated, and a sufficient distance from present or future populated areas. Erin Dotson commented that the landfill should be located in a place where few people live. Ken Burling commented that there were other places for the landfill. Barbara Mayeux asked that if the landfill was truly not a danger to mankind, then why couldn't the landfill be located in the Montgomery or Woodland area. Lisa Reasnor opposed the landfill location. Thornton Ireland commented that there were other counties to the west that would welcome a landfill, and had offered to share the cost. Ronald Maffett commented that the Applicant had enough money to purchase land in an unpopulated area. Mikel and Lorraine Morris commented that the Applicant should move the landfill north, away from any community development.

Barbara Mayeux, County Commissioner Ed Rinehart, and Donna Vandermoleni commented that they were concerned about the number of solid waste facilities in the area. Luine Hancock (State Senator Robert Nickols) commented that the proposed

¹³ 30 Tex. Admin. Code § 281.23(a) (West 2008).

¹⁴ 30 Tex. Admin. Code § 305.62 (West 2008).

¹⁵ 30 Tex. Admin. Code § 305.62(i)(1) (West 2008).

¹⁶ 30 Tex. Admin. Code § 281.2(9) (West 2008).

landfill was located less than two miles from Waste Management's Type I Security Landfill, and that the H-GAC waste management plan and House Bill 1053 discouraged landfill clustering. Linda Crandall and Rhonda Tate commented that they were concerned about having three landfills in the area. Those people identified in Group 1 and Mary Carter (CAML), Dan and Jerri Heil, R. M. Palmer, and James Walkinshaw commented that the Security landfill, located approximately 1.6 miles from the proposed site, was recently expanded to accept Montgomery County waste for an additional 25-30 years; and that this area had been singled out for landfill clustering. Mary Carter (CAML) commented that the expanded Security landfill was able to accommodate the Type IV waste disposal needs of Montgomery County. Mike Walton questioned how the TCEQ could mandate the clustering of landfills in any area. Thornton Ireland commented that this area already had an existing 800 acre landfill approximately one mile east of the proposed facility on Highway 105. State Senator Robert Nickols commented that he was concerned about the proximity of the proposed landfill to the Security landfill.

Those people identified in Group 1, Group 2, Group 6, Group 9, and Phillip Branch, Mary Carter (CAML), Elvira and Yolanda Cervantez, Vallye Chandler, Linda Collins, Tina Collins, Erin Dotson, Louis Aaron Dotson, Jim Dawson, Deborah Doran, Barbara, Leamon, and David Dowden, Mel Fife, Shelia Freeman, Norma Gibson, Mary Jennings Hartt, Laurie Headings, David Henderson, Tony Herrin and Pattie McGee, State Representative Ruben Hope, Jr., Devin Kaatz, Minnie Kaatz, Normane Kaatz, Shelah Kasinger, Monte Lane, Phillip Lindsey, Revernd Jim Luton, Ronald Maffett, Patsy Matthews, Barbara Mayeux, Albert and Shelia Nelson, R. M. Palmer(International Paper, Realty Division), Greg Poole, Jennifer Real, Danielle Reich, Lois Reiszner, James Reneau, Leona Reneau, Nora Renteria, County Commissioner Ed Rinehart, Pedro Rosales, Jr., Judge Alan Sadler, Bob and Lynda Sasser, Travis Selph, James Shropshire, John and Leah Smith, Linda Standley, Linda Stegenga, Donald Stockton (Conroe I.S.D), David Tate (CAML), David and Rhonda Tate, Faustin Villarreal, Billy Wagnon, Michael Walton, Janice Watkins, Joann and Thomas Welch, Karen Welch, Jacqueline Woychesin, Ladgie Zotyka, Jr., and Paul Zylman commented that East Montgomery County did not need an additional landfill. Also, concern was expressed that landfills and other waste facilities were being targeted and clustered in East Montgomery County. Jennifer Real asked whether there was a real economic need for the landfill. Mary Carter (CAML) and CAML commented that the Applicant had not been able to identify any clear benefit this proposed landfill would provide to the community, and that the impact to low income and minority communities was disproportionate to the population in Montgomery County and the four surrounding communities. Vallye W. Chandler, Jimmy Hunt, Jason Turner, and James Walkinshaw asked why there was a need for another landfill when there was already a landfill in the area. Luine Hancock (State Senator Robert Nickols) commented that there is no justifiable need for an additional landfill when the Security Landfill could accept construction and demolition debris waste. Nora Renteria and Rhonda Tate asked if the county had any recourse to limit the number of landfills that locate in an area. David Tate commented that the additional disposal capacity that this landfill would provide would not be needed for at least 30 years. Amarian Castillo, Aaron Flores, Claudia Flores, and Judith Gonzalez commented that they didn't want a landfill nearby.

Superintendent Leon Cubillas (Splendora I.S.D.), Mel Fife, Mary Jennings Hartt, Nora Renteria, John and Leah Smith, Linda Stegenga, David Tate (CAML), David and Rhonda Tate, and Jacqueline Woychesin commented that the landfill was environmental racism, classism, and unjust.

RESPONSE 11:

The regional solid waste management plan for Montgomery County, developed by the Houston-Galveston Area Council of Governments (H-GAC), calls for a Type IV landfill in Montgomery County to serve the region's waste disposal needs. TCEQ rules were promulgated to ensure that an MSW facility does not pose a health risk to the surrounding community. The Executive Director does not have the authority to consider alternative locations, benefits to the community, or disproportionate impact within a region. These issues, along with concerns regarding the clustering of MSW facilities, are more appropriately addressed to planning authorities such as the county, city, and H-GAC.

A county may prohibit by ordinance the processing or disposal of municipal or industrial solid waste in certain areas of the county.¹⁷ However, the county may not prohibit the disposal of municipal or industrial solid waste in an area for which the TCEQ has already issued a solid waste permit, or in an area for which an application for a solid waste permit has been submitted and is pending before the Commission.¹⁸

COMMENT 12: (Old Landfills)

Frankie Milley thought that old landfills should be cleaned up before permitting a new landfill.

RESPONSE 12:

Effective in 1993, Subtitle D of the federal Resource Conservation and Recovery Act (RCRA) caused landfills receiving municipal solid waste throughout the nation to upgrade or close. All facilities permitted in Texas since Subtitle D was enacted must have, as appropriate for the types of waste received, a liner system, leachate collection, landfill gas management, storm water run-on and runoff control, a final cover system, and financial assurance to close and monitor the facility. MSW rules require final cover installation for pre-Subtitle D facilities if they stopped receiving waste before Subtitle D was promulgated.¹⁹ Pre-Subtitle D facilities that continued to receive waste after promulgation of Subtitle D must meet the more stringent final cover requirements.²⁰ The

¹⁷ Texas Health & Safety Code §§ 363.112 and 364.012 (West 2008).

¹⁸ *Id.*

¹⁹ 30 Tex. Admin. Code § 330.251 (repealed 2006) (current version at 30 Tex. Admin. Code § 330.453 (West 2008)).

²⁰ 30 Tex. Admin. Code § 330.253 (repealed 2006) (current version at 30 Tex. Admin. Code § 330.457 (West 2008)).

commenter did not reference any specific landfills, or indicate how their closure may be deficient under the rules.

COMMENT 13: (Ownership)

Linda Standley commented that the Applicant did not have a sufficient ownership interest required by TCEQ rules, and the Applicant should reveal all of its owners. David Tate (CAML), and David and Rhonda Tate considered it wrong to allow a corporate veil to hide the names of the true owners of the Applicant.

RESPONSE 13:

TCEQ rules require the property owner of record to submit an affidavit acknowledging the possibility of being held jointly or severally responsible for the operation, maintenance, closure, and post-closure care of the site.²¹ TCEQ rules also require the disclosure of all persons having more than 20% ownership in a proposed facility.²² The Applicant revised its application in response to the Executive Director's second Notice of Deficiency by listing two persons with more than a 20% interest in the facility. The application is a public document that may be viewed at the TCEQ's Office of the Chief Clerk or the Montgomery County Library in Conroe, Texas.

COMMENT 14: (Pre-application Review)

Jennifer Real commented that certain information regarding land use, community need for a facility, and proximity to residential areas should be reviewed and considered prior to the submission of an application.

RESPONSE 14:

TCEQ rules allow for, but do not mandate, a pre-application review for MSW permit applications.²³ The purpose of a pre-application review is to identify issues of concern, facilitate communication between a potential applicant and persons who would be affected by an application, and resolve as many points of conflict as possible prior to the submission of an application.²⁴ A pre-application review was not conducted for this application.

COMMENT 15: (Land Use Compatibility)

²¹ 30 Tex. Admin. Code § 330.52(b)(7)(B)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.59(d)(2)(A)(West 2008)).

²² 30 Tex. Admin. Code § 330.52(b)(8)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.59(e)(West 2008)).

²³ 30 Tex. Admin. Code § 330.50 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.53 (West 2008)).

²⁴ 30 Tex. Admin. Code § 330.50(b) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.53(b). (West 2008)).

Samantha Baumgarten, Denise Bell, Mary Carter (CAML), Jim Dawson, Kenneth and Mary Everitt, Mary Jennings Hartt, Ernest Kanak, Jr., Barbara Meche, Frankie Milley, Dennis O'Neil, Kanielle Reich, David Rendon, Beth Reneau, James Reneau, Leona Reneau, James Shropshire, John and Leah Smith, David and Rhonda Tate, Vicki Thompson, Karen Welch, and Jacqueline Woychesin commented that the character of the surrounding area was residential with little industry, and stated that there were other locations better suited for a landfill. Those people identified in Group 2, Group 3, Group 6, Group 7, and Paul Bacque, Vallye Chandler, Patricia and Paul Clark, Linda Collins, Tina Collins, Superintendent Leon Cubillas (Splendora I.S.D.), Deborah Doran, Barbara, Leamon, and David Dowden, Mel Fife, Norma Gibson, Dan Glassel (Blessing Residential, Inc.), Sandy and Steve Hamilton, David Henderson, Tony Herrin and Pattie McGee, State Representative Ruben Hope, Jr., Judith Horne, Ernest Kanak, Jr., Mary Lou Kirves (Texas Real Estate Group), Monte Lane, Melody Logan, Stella Luton, Ronald Maffett, Frankie Milley, Albert and Shelia Nelson, R. M. Palmer (International Paper, Realty Division), Billy Pickering, Deborah Pickering, Nora Renteria, Judge Alan Sadler, Cassandra Smith, John and Leah Smith, Jan Stallworth, Linda Stegenga, Nancy Steward, David Tate (CAML), David and Rhonda Tate, Vicki Thompson, Billy Wagnon, Michael Walton, Marcia Warner, Karen Welch, Sabrina Westerfeld, Margie Wood, and Paul Zylman commented that residential and economic development had been and would continue to be negatively affected if the permit was granted. State Senator Robert Nichols, Vallye W. Chandler, Jim Dawson, Jennifer Real, Allen and Joyce Selph, and James Walkinshaw expressed their concern about the proximity of the landfill to residential areas. R. M. Palmer (International Paper, Realty Division), David Tate (CAML), and Michael Walton were concerned that a landfill would restrict future land use and development. David Rendon and Nora Renteria were concerned that the landfill would attract other industrial activity, low-quality development, and more landfills. County Commissioner Ed Rinehart said that the area was rapidly growing, and commented that the application should have looked farther than a one-mile radius. Judge Alan Sadler commented that additional development in the area was being planned.

Mary Carter (CAML), Deborah Doran, Duane and Tracy Hamilton, Reverend Jim Luton, County Commissioner Ed Rinehart, Linda Standley, Rhonda Tate, Michael Walton, and Jacqueline Woychesin commented that they were concerned about where the site was located and its compatibility with surrounding land use. Specifically, concern was expressed about the site's proximity to residences, daycare facilities, churches, and community centers; if the location complied with TCEQ rules; and if the Applicant could demonstrate compatibility with existing land uses and development patterns. Additionally, there were concerns that the TCEQ based its approval on site engineering and not on land use compatibility, and that the application was inconsistent with regional planning goals. Those people identified in Group 1 and Donna Vandermoleni commented that they were concerned about the landfill being located in a rapidly growing community. David Tate (CAML) was concerned that the Applicant had not shown that the landfill would be compatible with existing land use or community growth patterns.

Those people identified in Group 11 and CAML, Deborah Doran, Mary Jennings Hartt, Wayne Kocurek, Judge Alan Sadler, Linda Standley, and Linda Stegengea commented that the area had experienced recent growth, the application misrepresented the actual population because the Applicant used an outdated land use development study, and the aerial count of houses was inaccurate due to the dense tree cover. Ken Burling commented that the Applicant had presented demographic information on maps from the 1960s and 1970s at a public meeting, and that this information should be updated. Mary Carter (CAML) commented that the Applicant had failed to demonstrate that the landfill would be compatible with existing land use, community growth patterns, and with growth trends of the nearest community. Ms. Carter also commented that the landfill was bound on the west by the town of Cut and Shoot, which had grown dramatically since the 2000 census; adding over 600 home sites, with a projected additional 450 homes within the next two years. Those people identified in Group 1 and County Commissioner Ed Rinehart, Mary Carter (CAML), John and Leah Smith, and Michael Walton commented that the application did not reflect the rapid residential growth of the communities of Security and Midway. Linda Stegengea commented that the Applicant had not updated their application with regards to growth patterns since its original submittal. CAML commented that the facility failed to conform with the regional solid waste management plan developed by H-GAC.

Those people identified in Group 11 and Minnie and Normane Kaatz, Wayne Kocurek, Steven Matthews, Albert and Shelia Nelson, Nora Renteria, Judge Alan Sadler, Anita Severa, John Smith, Rhonda Tate, Billy Wagnon, Karen Welch and Jacqueline Woychesin commented that Montgomery County should not be the dumping ground for Houston. Linda Standley commented that the landfill's service area should only encompass Montgomery County.

RESPONSE 15:

State law and TCEQ rules do not provide any authority to evaluate alternative locations as part of an MSW landfill permit application review. The rules state that "a primary concern is that the use of any land for an MSW site not adversely impact human health or the environment. The impact of the site upon a city, community, group of property owners, or individuals must be considered in terms of land use, zoning in the vicinity, community growth patterns, and other factors associated with the public interest."²⁵ The Applicant is required to submit information regarding: zoning at the site and in the vicinity of the site; the character of the surrounding land uses within one mile of the proposed facility; growth trends of the nearest community with directions of major development; the proximity to residences and other uses, such as schools, churches, cemeteries, historic structures and sites, archeologically significant sites, sites that have exceptional aesthetic quality; the approximate number of residences and business establishments within one mile of the proposed facility, including the distances and directions to the nearest residences and businesses; and a description and discussion of all

²⁵ 30 Tex. Admin. Code § 330.53(b)(8)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.61(h)(West 2008)).

known wells within 500 feet of the proposed facility to assist the Executive Director in determining potential adverse impact.²⁶

The initial application indicated that there were "an estimated 410 residences or other habitable structures" within one mile of the proposed facility. This number was based primarily on aerial photographs. The initial application also indicated that of those approximately 410 structures, there were 256 residences. The application was then amended in November of 2006, and based on new land use information the application was revised to indicate that approximately 421 structures were located within one mile of the proposed facility, 267 of which were residences.

Part II of the application includes information from the two most recent censuses, occurring in 1990 and 2000, as well as population information from the nearest incorporated community, Cut and Shoot, gathered in 2003 and 2005. The application also discusses the challenge of assessing growth trends for the nearest unincorporated community, Midway. The Applicant has provided the required information and, based on that information, the Executive Director has determined that the draft permit is protective of human health and safety, and the environment, in the surrounding community. Issues of community morale and environmental justice are not addressed by TCEQ rules.

The Executive Director is unaware of an existing day care or church within one mile of the proposed facility. A comment provided at the second public meeting indicated that there were plans to construct a church on SH 105, within one mile of the proposed facility. TCEQ rules do not authorize the Executive Director to consider proposed or planned construction when evaluating potential adverse impacts resulting from the site.²⁷ The H-GAC did not provide any information that would lead the Executive Director to conclude that the facility would not comply with the regional solid waste management plan.

COMMENT 16: (Access and Community Safety)

State Representative Ruben Hope, Jr., County Commissioner Ed Rinehart, and Luine Hancock (State Senator Robert Nickols) commented that SH 105 was currently congested, needed to be widened, and that additional truck traffic would only exacerbate the problem. Roger Adams, Ruth Allen Stephen Barfield, Johnny Beall, Karen Beall, Floyd C. Collins, Anneliese Enriquez, Steven Gothard, Mark Grimes, Martha Guilbeaux, Kenny Hamby, Deborah Heuermann, Amber Hunt, Crystal Kelsoe, Floralee Lovell, Ronald Maffett, Albert A. Nelson, Shelia Nelson, Leda O'Neil, Sylvia Padilla, the Honorable Alan B. Sadler, James Singleton, Ciara Smalling, Sherry Smalling, Nikki Somplasky, George Standley, Ricky Standley, Joseph Tanseu, Dan Wallace, Shaun Wallace, Mike Walton, William Waters, Cynthia Watford, Shawn Watford, James Watkins, Angela Welch, Dale Welch, commented that they were concerned about traffic around the proposed facility. Ralph E. Benedict II, Bonnie Braswell, Ken Burling,

²⁶ Id.

²⁷ Id.

Vallye W. Chandler, Sherman J. Chenier-Cleveland, Ken Van Dine, Elizabeth Dotson, Belinda Faulkner, Thomas Harrison, David H. Ludwig, Jr., Mark Matheny, Barbara Mayeux, Lisa Reasor, County Commissioner Ed Rinehart, David Rondon, David W. Sargent, Jr., Alan P. Schuler, Anita Severa, Melvin Sharpe, Lorraine and Mikel Morris, R. M. Palmer, Janice Walkens, Karen Welch, and Charlotte and James Williams commented that they were concerned about traffic on SH 105. Christine Ludwig, Janice Walkens, and James E. Walkinshaw commented that it was difficult to pull onto or cross SH 105 due the amount of traffic.

Ken Burling, Erin Dotson, Ralph Drinkwater Floyd, and Linda Standley commented that they were concerned about adding the estimated 600 trucks to the current traffic volumes. Mrs. R. A. Benedict, Erin Dotson, Alberto Enriquez, Thornton Ireland, Patsy Matthews, Lisa Reasor, Lorraine Romero, Linda Standley, Rhonda S. Tate, and Karen J. Welch commented that they were concerned that the increase in traffic would result in additional traffic accidents and injuries. Rhonda Tate commented that the estimated additional 600 trucks was effectively an additional 1,200 trucks on SH 105, because each truck would arrive and then leave the facility via SH 105.

Shelia Freeman commented that the traffic study, consisting of a three-hour traffic count between 2:00 p.m. and 5:00 p.m., was inadequate; and should have been conducted on a 24-hour basis. James M. Lamendolis commented that the traffic study for SH 105 was inadequate. Lorraine Romero asked whether the new traffic study would consider the growth of the planned 5,600-acre Peachcreek Plantation community. David Rondon commented that he was concerned about the additional time that would be required to drive to work as a result of additional traffic. Daniel Heil, State Representative Ruben Hope, Jr., Thornton Ireland, Mary Lou Kirves, David H. Ludwig, Jr., Patsy Matthews, R. M. Palmer, Carolyn Sue and Lawrence Rains, County Commissioner Ed Rinehart, John Romero, Jr., Lorraine Romero, Alan P. Schuler, James E. Walkinshaw, Karen Welch, and Charlotte and James Williams commented that they were concerned about traffic on North Walker Road. Anita Severa asked who would pay for road repairs caused by truck traffic, and commented that SH 105 should be widened before the facility was opened. Mary Carter (CAML) commented that local residents recommended that traffic studies be conducted while school was in session to accurately reflect traffic patterns in the area. Ms. Carter also commented that many schools would be affected by the increase in traffic in the area; specifically, the Caney Creek-Moorehead-Grangerland Regional School Complex, Austin Elementary, and Caney Elementary-Keefer Croosing Middle School Complex. Alan P. Schuler commented that additional traffic risks to the residents should be quantified via statistical analysis, and be made public. Linda Stegenga commented that the Applicant had not provided plans to prevent waste-carrying vehicles from accessing the proposed landfill site from a newly developing subdivision directly north of the landfill, which would result in vehicles traveling south on North Walker Road.

Linda Standley commented that North Duck Creek Road, which had been designated as an alternate route, was windy with dangerous curves and blind spots; and asked if the road conditions on North Duck Creek Road were considered. Thomas Harrison commented that he was concerned about traffic congestion on North Duck

Creek Road. State Representative Brandon Creighton asked whether the TCEQ has jurisdiction over truck traffic associated with the landfill. Those people identified in Group 1 commented that the amended roadway configuration would cause dangerous traffic congestion. Those people identified in Group 1 commented that the Applicant's amendment increased the number of waste vehicles into the proposed site, and failed to adequately quantify the traffic on North Walker Road or the impact of landfill traffic on local traffic patterns. John and Leah Smith commented that the additional traffic would be dangerous to student drivers and school buses on SH 105.

Those people identified in Group 2, Group 3, Group 5, Group 6, Group 7, and Group 10, and Enedina Alvarez, Willie Mae Atkinson, Melissa Barton, Thomas Beers, Denise Bell, Phillip Branch, Mary Carter (CAML), Vallye Chandler, Linda Collins, Tina Collins, Patricia Crofton, Superintendent Leon Cubillas (Splendora I.S.D.), Terry Dauzart, Jim Dawson, Deborah Doran, Mel Fife, Norma Gibson, Duane and Tracy Hamilton, Sandy and Steve Hamilton, Mary Jennings Hartt, Laurie Headings, David Henderson, Tony Herrin and Pattie McGee, State Representative Ruben Hope, Jr., Mary Lou Kirves (Texas Real Estate Group), Wayne Kocurek, Monte Lane, Phillip Lindsey, Melody Logan, Christene Ludwig, Ronald Maffett, Patsy Matthews, Steven Matthews, Barbara Mayeux, Travis Mayeux, Barbara McCleane, Barbara Meche, Frankie Milley, Lee Moulder, Albert and Shelia Nelson, Marigrace O'Neil, Trudilee O'Neil, R. M. Palmer (International Paper, Realty Division), Billy Pickering, Deborah Pickering, Greg Poole, Jason Reaves, Danielle Reich, Beth Reneau, James Reneau, Kyle Reneau, Leona Reneau, Nora Renteria, County Commissioner Ed Rinehart, Carla Robles, Pedro Rosales, Jr., Judge Alan Sadler, Bob and Lynda Sasser, Anita Severa, James Shropshire, Arlinda and Billy Smith, Cassandra Smith, Jaren and Logann Smith, John and Leah Smith, Robert Smith, Linda Standley, Linda Stegenga, Nancy Steward, Thomas Steward, Donald Stockton (Conroe I.S.D.), David Tate (CAML), John Tate, Jr., Rhonda Tate, Vicki Thompson, Billy Wagnon, Michael Walton, Janice Watkins, Jacqueline Woychesin, Clifford Welch, Joann and Thomas Welch, Karen Welch, Sabrina Westerfeld, Charlotte Williams, Ladgie Zotyka, Jr., and Paul Zylman commented that the roads that provided access to the landfill and to the community were the same, and the increased use would cause the roads to have safety and structural problems endangering all who used the road. Special concern was expressed regarding children at play and children traveling to and from school. CAML specifically expressed concern about the Caney Creek-Moorehead-Grangerland Regional School Complex, Austin Elementary, and New Caney Elementary-Keefer Crossing Middle School. CAML and Mary Carter (CAML) commented that the Applicant had failed to provide adequate documentation on the availability and adequacy of roads used to access the site. Ms. Carter commented that CAML was also concerned about the use of North Walker Road to access the landfill. Ms. Carter also commented that a dedicated roadway specific to this landfill would be much safer, and more satisfactory to the community. County Commissioner Ed Rinehart and Judge Alan Sadler commented that, because of the residential character of the neighborhood, reconstruction of the road would not ensure safety.

Kelli and Lee Moulder asked if there would be a way to monitor and maintain the speed limit on the road for the safety of children and pedestrians, and asked if there

would be a four-way stop light at Walker Road and SH 105. Penny Cooper commented that the truckers should be paid hourly instead of per load to decrease their incentive for speeding, traffic should be monitored, and speed bumps should be installed. Patricia Crofton commented that underpaid and overworked truckers posed a threat to the community's safety. CAML, County Commissioner Ed Rinehart, John and Leah Smith, Linda Stegenga, and Karen Welch commented that if the permit was granted there should be a dedicated road that provided direct access for landfill traffic to SH 105. John Smith asked if trucks would use SH 105 to access the landfill or if the trucks would take short cuts. CAML and John and Leah Smith commented that any plan to abate traffic should consider the expansion of existing landfills and traffic studies should be performed while school was in session. Ken Burling and Charles Buzbee asked for the number of traffic fatalities on North Walker Road, and if those fatalities would be increased with the addition of landfill traffic. Melvin Sharpe commented that the discussion on widening North Walker Road did not consider the accident rate and other issues. CAML commented that H-GAC stated the permit should be conditioned on North Walker Road being improved to accommodate 80,000-pound weight-loads and increasing the sight distance at the reverse curve. CAML commented that firm plans and agreements addressing this requirement should be incorporated into the permit; and that traffic studies should be completed concerning the need for additional traffic controls and safety measures. David Tate (CAML) and David and Rhonda Tate commented that the application was based on an unrealistic plan for four lanes for Highway 105.

Johnny and Karen Beall, Mary Carter (CAML), Shelia Freeman, and Paul Zylman asked who would provide the funds to widen North Walker Road, and who determined the value of condemned land. Mary Carter (CAML) and Terry Dauzart asked who would bear the cost to repair North Walker Road, and commented that it should not be the taxpayer's burden. Terry Dauzart was concerned that the road bed of North Walker Road was corrupt because of standing water that was present for most of the year. Melvin Sharpe commented that the information from Texas Department of Transportation (TxDOT) regarding SH 105 was inaccurate, and should not be used. CAML and Jacqueline Woychesin commented that SH 105 had been documented as one of the most dangerous roads in Montgomery County due to the growth of the area. Mary Carter (CAML) commented that Department of Public Safety had been quoted in several Conroe Courier articles stating that SH 105 between Conroe and Cleveland was one of the most dangerous roads in Montgomery County. Karen Welch commented that TxDOT traffic studies did not seem to be accurate. Elizabeth Dotson, Matt McLean, and Trudilee O'Neil asked where the new access road would meet SH 105.

RESPONSE 16:

TCEQ rules state that "a primary concern is that the use of any land for an MSW site not adversely impact human health or the environment. The impact of the site upon a city, community, group of property owners, or individuals must be considered in terms of compatibility of land use, zoning in the vicinity, community growth patterns, and other

factors associated with the public interest.”²⁸ In accordance with this requirement, an applicant must: provide data on the availability and adequacy of roads that the applicant will use to access the site; provide data on the volume of vehicular traffic on access roads within one mile of the proposed facility, both existing and expected, during the expected life of the proposed facility; and project the volume of traffic expected to be generated by the facility on the access roads within one mile of the proposed facility.²⁹ An applicant is also required to submit documentation of coordination with TxDOT for traffic and location restrictions.³⁰ These rules do not require an applicant to provide information about highway fatalities on nearby roads.

On August 21, 2008, the MSW Permits Section received additional changes to the application. These changes revise the entry path to the landfill. The application had shown that entry to the landfill would be from North Walker Road, 1,600 feet north of SH 105, to a private road on property that is owned by the Applicant, but outside the permit boundary, then to the southern edge of the permit boundary. The proposed entry path no longer uses North Walker Road. The application indicates entry through a modified private road, again located on property that is owned by the Applicant outside of the permit boundary, directly from SH 105. The new entrance road will intersect with SH 105 approximately 2,800 feet west of SH 105 and North Walker Road.

The Applicant has provided the required traffic information in its Transportation Study, located in Appendix A of Part II of the application; and the information is discussed and summarized in Section 1.7 of Part II of the application. Page II-16 indicates that as of 2006, SH 105 is a D Level of Service roadway. Table 2 of the Transportation Study shows existing traffic volumes for SH 105. Table 3 of the Transportation Study summarizes a school bus count on SH 105 at North Walker Road. The data was collected between 6:30 a.m. and 9:00 a.m. and 2:30 p.m. and 6:30 p.m. on October 19, 2006, to account for travel to and from schools in the area. Table 3 indicates that 57 school buses traveled SH 105 at North Walker Road during the data collection period.

The Transportation Study does not address specific area development, such as Peachcreek Plantation, but assumes a 2% annual growth rate based on information provided by TxDOT. TCEQ does not have authority over SH 105, and may not require widening prior to the opening of the facility. Had TxDOT requested that such widening take place during the Applicant’s coordination with the agency, TCEQ would have included that requirement in the draft permit. This coordination information is provided in Appendix B of Part II of the application.

²⁸ 30 Tex. Admin. Code § 330.53(b)(8)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.61(h)(West 2008)).

²⁹ 30 Tex. Admin. Code § 330.53(b)(9)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.61(i)(West 2008)).

³⁰ 30 Tex. Admin. Code § 330.51(b)(6)(C)(repealed 2006)(current version at Tex. Admin. Code § 330.61(i)(4)(West 2008)).

There is no indication that North Duck Creek Road will be used to access the facility; therefore, the Transportation Study does not reference North Duck Creek Road. Road repairs to state highways are funded through state and federal taxes. The TCEQ has no jurisdiction over highway repairs or their funding. The Texas Department of Public Safety and local law enforcement has jurisdiction over trucks traveling on public roads. While trash trucks may serve areas accessible only by North Walker Road, the current Transportation Study indicates that North Walker Road will not be used to access the facility.

COMMENT 17: (Drivers)

Laurie Headings was concerned that the landfill would bring truck drivers with criminal histories and sexual predators into the community.

RESPONSE 17:

TCEQ rules were promulgated to ensure that an MSW facility does not pose a health risk to the surrounding community. A proposed sites' impact, if any, on crime in the surrounding community is outside the scope of the normal evaluation of an MSW permit application. The issuance of the proposed draft permit does not authorize any sort of criminal activity.

COMMENT 18: (Fire & Other Natural Disasters)

Gary Biddle commented that he was concerned about landfill fires and open burning. Claudia Hubbard, Nora Renteria, Carla Robles, and Jacqueline Woychesin commented that they were concerned about a fire at the facility; specifically, how it would affect residents, the evacuation route for North Walker Road, and fire fighters' access to the landfill. Penn Cooper was concerned about the height of the landfill; and how it would withstand a tornado.

RESPONSE 18:

With limited exceptions, the open burning of solid waste is prohibited at all MSW facilities.³¹ As part of its Site Operating Plan (SOP), the Applicant must provide a Fire Protection Plan that identifies the fire protection standards to be used at the facility and how personnel are trained in the control of small fires.³² TCEQ rules also require that the owner or operator of an MSW facility maintain a source of earthen material in such a manner that it is available at all times to extinguish any fires.³³ The Executive Director has reviewed the Applicant's Fire Protection Plan, and determined that it meets all

³¹ 30 Tex. Admin. Code § 330.5(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.15(d) (West 2008)).

³² 30 Tex. Admin. Code §§ 330.114(6) (repealed 2006)(current version at 30 Tex. Admin. Code 330.127 (West 2008)) & 330.115 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.129 (West 2008)).

³³30 Tex. Admin. Code § 330.115 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.129 (West 2008)).

applicable TCEQ rules. TCEQ rules do not have any provisions that require a contingency plan in the event of a tornado.

COMMENT 19: (Accepted Waste & Illegal Dumping)

Those people identified in Group 11 and Doug Crofton commented that the public should be furnished with a list of what the landfill would accept, because some construction material contained toxic substances. Sheila Freeman, Trudilee O'Neil, and John and Leah Smith, and Linda Stegenga were concerned that construction and demolition waste would contain asbestos, lead based paint, and arsenic. Susan Lane and Jennifer Real commented that gate attendants would not be able to detect which construction and demolition materials contained asbestos, lead based paint, mercury, and other carcinogens. James Clark, Ralph Drinkwater Floyd, Dr. Dellamira Rangel, Anita Severa, Alan Schuler, and Randall Weaver were concerned about the adequacy of waste acceptance inspections to prevent the receipt of prohibited wastes. Jacqueline Woychesin was concerned that the landfill would accept trash. James Watkins was concerned that the landfill would accept toxic waste. Doug Crofton was concerned about who would monitor the waste accepted. Vallye Chandler, Barbara, Leamon, and David Dowden, L.V. Dowden, Ernest Kanak, Jr., Barbara Mayeux, Frankie Milley, Nora Renteria, Anita Severa, Thomas Steward, Michael Walton, and Jacqueline Woychesin were concerned about whether security measures and monitoring would prevent illegal dumping. County Commissioner Ed Rinehart commented that more should be done to stop illegal landfills. Eric Dotson commented that people who do not wish to pay the dumping fee will end up dumping waste on roads near the landfill. Anita Severa commented that the landfill would not stop illegal dumping. State Representative Brandon Creighton asked how the TCEQ confirmed that an applicant would only accept approved wastes. Representative Creighton also asked what the TCEQ could do if the Applicant does not comply with TCEQ rules, and how strong was the enforcement arm of the TCEQ. John and Leah Smith commented that they were concerned about which counties the accepted waste stream would originate from.

RESPONSE 19:

An applicant for an MSW facility is required to submit a Site Operating Plan (SOP) that sets out how the applicant intends to comply with the basic site operating and management requirements imposed by TCEQ rules.³⁴ The proposed SOP indicates that the facility will be fenced and access will be controlled at the site entrance by a gate that is locked outside of normal operating hours. During operating hours, a gate attendant will be stationed in the gatehouse adjacent to the landfill access road to screen incoming waste loads to prevent the disposal of prohibited wastes. Facility employees will also receive training on screening incoming waste, and facility personnel will be present at the active disposal area during the unloading of all disposal vehicles. The operation standards and the submitted SOP should ensure that only allowed waste is accepted at the facility.

³⁴ 30 Tex. Admin. Code §§ 330.57 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.65 (West 2008) & 330.114 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.127 (West 2008)).

TCEQ rules impose restrictions on the acceptable waste stream for Type IV landfills.³⁵ The need for an MSW disposal facility in a particular area is usually addressed by the local council of governments, and the Houston-Galveston Area Council has developed a regional plan that indicates that an additional Type IV MSW landfill is needed in Montgomery County. The application indicates that the service area for the proposed facility is estimated to include Montgomery, Liberty, Harris, Walker, and San Jacinto Counties.

Illegal dumping in Montgomery County should be reported to the TCEQ by calling toll-free, 1-888-777-3186 or by calling the TCEQ Region 12 Office in Houston at (713) 767-3500. Citizen complaints may also be filed on-line at <http://www.tceq.state.tx.us/compliance/complaints>. The TCEQ may conduct a facility inspection based on properly filed citizen complaint. A notice of violation or enforcement may be issued by the appropriate TCEQ Regional Office for non-compliance with TCEQ rules or provisions of a facility's permit. Issued notices of violation may result in the issuance of an enforcement order, which can include fines and penalties.

COMMENT 20: (Debris)

Anneliese Enriquez commented that she was concerned about windblown waste ending up on her property. Johnny and Karen Beall, Norma Gibson, Linda Collins, Tina Collins, Terry Dauzart, Mary Jennings Hartt, Barbara Mayeux, Barbara Meche, Lee Moulder, Albert and Shelia Nelson, Kyle Reneau, Judge Alan Sadler, Daniel Vargas, Billy Wagnon, Michael Walton, Karen Welch, and Ladgie Zotyka, Jr. commented that they were concerned about who would clean up debris from trucks traveling on North Walker Road.

RESPONSE 20:

TCEQ rules require windblown material and litter to be collected and returned to the active disposal area, or working face, as necessary to control unhealthy, unsafe, or unsightly conditions.³⁶ This includes windblown materials resulting from unloading, spreading, and compacting operations and litter scattered from vehicles. Facility owners or operators are also required to take steps to ensure that vehicles hauling waste to their facility are enclosed or covered by tarpaulins, nets, or other means to prevent the escape of any part of the load.³⁷ The SOP submitted with the application indicates that waste transportation vehicles using the facility will be encouraged to have adequate covers or other means of containment for the wastes they transport; repeat offenders will be

³⁵ 30 Tex. Admin. Code § 330.41(e) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.5(a)(2) (West 2008)).

³⁶ 30 Tex. Admin. Code § 330.120 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.139 (West 2008)).

³⁷ 30 Tex. Admin. Code § 330.123 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.145 (West 2008)).

reported to the Texas Department of Public Safety and the Montgomery County Sheriff's Department; and solid waste that has been deposited at the working face will be spread and compacted as rapidly as possible to minimize the amount of time that waste is exposed to wind. Additionally, TCEQ rules require that, on days when the facility is in operation, at least once per day landfill personnel will collect litter or waste materials along the right-of-way of public access roads serving the facility from a distance of two miles in either direction from any entrances used for the delivery of waste to the facility.³⁸

COMMENT 21: (Nuisance)

Tina Collins, Erin Dotson, Cody Weaver, Randall Waver, James M. Lamendolis, and Ruben Selph commented that they were concerned about noise from the operation of the landfill. Floyd Collins, Tina Collins, Linda Kay Crandall, Joshua Davis, Erin Dotson, Terri Gandy, Kenny Hamby, Deborah Heuermann, Crystal Kelsoe, Bob McDaniel, Terry Rollins, Linda Stegenga, Dan Wallace, Shaun Wallace, Shawn Watford, and Randall Weaver commented that they were concerned about odors emanating from the landfill. Paul Bacque, Elvira and Yolanda Cervantez, Vallye Chandler, Ernest Kanack, Jr., Deborah Doran, Wayne Kockurek, Phillip Lindsey, Francisco Ramirez, Danielle Reich, Rhonda Tate, and Michael Walton commented that they were concerned that the landfill would emit bad odors and be an eyesore. Michael Walton was concerned that the landfill would attract rodents and vermin that would affect the health and property of nearby residents. Travis Selph was concerned that the retention ponds would contribute to insect-borne disease. Sandy and Steve Hamilton, Phillip Lindsey, Melody Logan, Steven Matthews, Ruben Selph, Rhonda Tate, Michael Walton, and Paul Zylman commented that they were concerned about the increase of noise due to the landfill. CAML, Steven Matthews, Anita Severa, John and Leah Smith were concerned about the size of the landfill being too large. CAML and John and Leah Smith commented that they were concerned that the landfill's aerial build-up would exceed tree cover resulting in the destruction of a natural buffer between the landfill and the community.

RESPONSE 21:

While the TCEQ does not have specific rules addressing noise at MSW facilities, the required minimum 50-foot buffer zone is expected to reduce the noise level at the facility boundary.³⁹ The application indicates that the proposed facility meets the buffer zone distance requirements.

Type IV landfills do not typically generate excessive odors, due to the fact that they are not authorized to accept putrescible waste.⁴⁰ There are several TCEQ rules

³⁸ 30 Tex. Admin. Code § 330.120 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.139 (West 2008)).

³⁹ 30 Tex. Admin. Code § 330.121(b) (repealed 2006)(current version at 330.543(b) (West 2008)).

⁴⁰ "Putrescible waste" is defined as organic wastes, such as garbage, wastewater treatment plant sludge, and grease trap waste, that is capable of being decomposed by microorganisms with sufficient rapidity as to cause odors or gases or is capable of providing food for or attracting birds, animals, and disease vectors. 30

aimed at reducing odors by: controlling windblown waste and litter;⁴¹ establishing buffer zones;⁴² prohibiting the open burning of solid waste;⁴³ requiring an odor management plan;⁴⁴ preventing ponded water;⁴⁵ using all-weather roads;⁴⁶ dust suppression;⁴⁷ and weekly cover to control disease vectors, fires, odors, windblown litter or waste, and scavenging.⁴⁸ The Applicant's SOP describes procedures that should address and reduce possible nuisance conditions.

TCEQ rules do not directly address or limit the size of a landfill. The height of a landfill is limited indirectly by the geometry of the waste footprint and the maximum allowable angle of the side slopes of one vertical foot for every four horizontal feet. Therefore, the shortest dimension of the waste unit limits the height of the landfill.

COMMENT 22: (Height & Visual Screening)

Those people identified in Group 1 and Mary Carter (CAML), Rhonda Tate, and Mike Walton commented that the height of the proposed landfill was excessive in light of the surrounding terrain, despite the existing tree cover. Cody Weaver commented that he would be able to see the 200 foot tall hill from his backyard. Linda Stegenga commented that if the 200 foot landfill was allowed, many residences would be shaded before the sun goes down. State Representative Brandon Creighton asked what the maximum allowable height was under TCEQ regulations. Shawn Watford commented that the landfill would be unsightly. Commissioner Ed Rinehart, and Charlotte and James Williams were concerned about the height of the proposed landfill.

RESPONSE 22:

The Executive Director has no specific authority under the Texas Solid Waste Disposal Act (TSWDA) to limit the height of a landfill or to consider visual impacts. The application indicates that visual screening will be accomplished by maintaining forested areas around the disposal area. This includes approximately 300 feet of forested buffer between the disposal area and North Walker Road. Height is limited indirectly by

Tex. Admin. Code § 330.2(108) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.3(119) (West 2008)).

⁴¹ 30 Tex. Admin. Code § 330.120 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.139 (West 2008)).

⁴² 30 Tex. Admin. Code § 330.121(b) (repealed 2006)(current version at 330.543(b) (West 2008)).

⁴³ 30 Tex. Admin. Code § 330.5(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.15(d) (West 2008)).

⁴⁴ 30 Tex. Admin. Code § 330.125(b) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.149 (West 2008)).

⁴⁵ 30 Tex. Admin. Code § 330.134 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.167 (West 2008)).

⁴⁶ 30 Tex. Admin. Code § 330.127(a) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.153(a) (West 2008)).

⁴⁷ 30 Tex. Admin. Code § 330.127(b) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.153(b) (West 2008)).

⁴⁸ 30 Tex. Admin. Code § 330.133(a) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.165(a)&(b) (West 2008)).

the geometry of the waste footprint and the maximum allowable angle of the sideslopes of one vertical foot for every four horizontal feet. If the proposed landfill is constructed and operated as shown in the application and as required by regulation, including providing proper compaction of waste, placement of weekly cover, and construction of final cover meeting allowable sideslope angles, the Executive Director expects current engineering practices to be adequate to operate the facility at the proposed height.

COMMENT 23: (Vectors)

Gary Biddle commented that the landfill would attract wild hogs, coyotes, rats, mice, flies, and mosquitoes. Joshua Davis commented that the landfill would attract rodents. Travis Selph commented that he was concerned with insect borne diseases, specifically, the West Nile virus. Mr. Selph also asked what would be done to combat mosquitoes.

RESPONSE 23:

Type IV landfills do not typically attract vectors or scavengers, due to the fact that they are not authorized to accept putrescible waste.⁴⁹ TCEQ rules require MSW facility operators to take the appropriate steps to prevent and control on-site populations of disease vectors and scavengers by using proper compaction and cover procedures.⁵⁰ Type IV facility operators are required to apply six inches of well-compacted earthen cover at least once a week to control disease vectors.⁵¹ Facility operators must also prevent ponded water, regardless of its origin, from accumulating over waste at the landfill.⁵² The Applicant's SOP states that the facility will perform a weekly inspection for the presence of vectors, and will retain a pest control specialist should vectors be observed.

COMMENT 24: (Floodplain Maps)

Those people identified in Group 4 and Ken Burling, Mary Carter (CAML), Jim Dawson, Mel Fife, Ernest Kanak, Jr., Wayne Kocurek, Travis Mayeux, Carla Robles, Judge Alan Sadler, John and Leah Smith, Linda Standley, David Stegenga, Linda Stegenga, David Tate (CAML), and Kern Welch commented that the application was reviewed using old floodplain maps. Those people identified in Group 4 commented that the TCEQ should request new floodplain maps from the Federal Emergency Management

⁴⁹ "Putrescible waste" is defined as organic wastes, such as garbage, wastewater treatment plant sludge, and grease trap waste, that is capable of being decomposed by microorganisms with sufficient rapidity as to cause odors or gases or is capable of providing food for or attracting birds, animals, and disease vectors. 30 Tex. Admin. Code § 330.2(108) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.3(119) (West 2008)).

⁵⁰ 30 Tex. Admin. Code § 330.126 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.151 (West 2008)).

⁵¹ 30 Tex. Admin. Code § 330.133(a) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.165(a)&(b) (West 2008)).

⁵² 30 Tex. Admin. Code § 330.134 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.167 (West 2008)).

Agency (FEMA). Wayne Kocurek commented that a current survey of flooding in the area needed to be considered. Ernest Kanak, Jr. asked what the consequences would be if the landfill was in an identified floodplain after FEMA revised the floodplain maps.

RESPONSE 24:

The Applicant provided information, based on FEMA maps, concerning the 100-year floodplain as required by TCEQ rules.⁵³ However, the FEMA maps were based on 1996 data, and the floodplain in the northern section of the proposed permit boundary was estimated without baseline evaluations. Due to these issues, and pursuant to TCEQ rules, the Executive Director required the Applicant to re-estimate the 100-year floodplain.⁵⁴ The floodplain was expanded as a result of this process to include area on the north side of the proposed facility. Therefore, the changes that have occurred in the area since the FEMA maps were updated have been addressed. The landfill footprint will not be within the 100-year floodplain.

Under federal statutes, county governments are authorized to petition FEMA for an update of FEMA's flood hazard maps. The TCEQ does not have the authority to request that FEMA update its flood hazard maps.

COMMENT 25: (Flooding)

Melvin Sharpe commented that culverts in and around Adcock Acres and South Williams Road filled up and flooded the roadways, and that the storm water detention ponds should hold that flood water. Trudilee O'Neil commented that there was no way that the Applicant could stop the flooding that occurred in the two creeks that ran through the site property. Ralph Drinkwater Floyd commented that flooding in the area was common, and it was possible that a heavy rain would flood the site and bust the landfill. State Representative Ruben Hope, Jr. commented that rain water would flow off of the landfill, into the creeks, and flood people's property. Rhonda Tate commented that the 200 foot height of the landfill would cause more flooding to occur at nearby residences. Roger Adams, Mrs. R. A. Benedict, State Representative Ruben Hope, Jr., Mary Lou Kirves, Susan Lane, Christine Ludwig, Shelia Nelson, Carolyn Sue and Lawrence Rains, County Commissioner Ed Rinehart, John Romero, Jr., Lorraine Romero, David W. Sargent, Jr., Anita Severa, Nikki Somplasky, Linda Standley, Linda K. Stegenga, and Karen J. Welch commented that they were concerned about area flooding. Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant failed to provide adequate information demonstrating compliance with TCEQ rules regarding the location and quantities of surface water drainage entering, exiting, or internal to the site and areas subject to a 100-year flood. Ms. Carter also commented that the current landfill design did not adequately address surface water runoff, localized sheet flooding, or frequent flooding from the two creeks that were located along the east and west boundaries of the proposed site. State Representative Brandon Creighton asked what

⁵³ 30 Tex. Admin. Code § 330.56(f)(4)(B)(i)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.63(c)(2)(B) (West 2008)).

⁵⁴ Id.

TCEQ requirements ensured that the facility did not increase flooding in the area. Carolyn Sue and Lawrence Rains commented that the landfill would destroy their watershed, increase flooding, and destroy natural drainage patterns.

Sheila Freeman, State Representative Ruben Hope, Jr., David Rendon, Melvin Sharpe, David Tate (CAML), and Karen Welch commented that the site was naturally prone to flooding. Those people identified in Group 4 and Jim Dawson, Ernest Kanak, Jr., Wayne Kocurek, Travis Mayeux, Carla Robles, Judge Alan Sadler, John and Leah Smith, Linda Standley, Linda Stegenga, Karen Welch, and Jacqueline Woychesin commented that the facility was located in a floodplain. Jim Dawson was concerned that the site was in a lowland subject to flooding and uncontrollable runoff. Mary Carter (CAML) commented that H-GAC noted local governmental officials' concerns that the landfill would increase runoff and flood risks, that there were serious drainage problems on and near North Walker Road despite adequate maintenance of drainage ditches, and that the Applicant should demonstrate that the facility would not exacerbate local flooding. Those people identified in Group 2, Group 3, Group 7, and CAML, Phillip Lindsey, and Carla Robles commented that when the timber was removed from the site a natural flood barrier would be lost, and would contribute to additional flooding. Those people identified in Group 3 and CAML commented that the destruction of wetlands would result in more flooding. Those people identified in Group 5, Group 8, Group 10, and Johnny Beall, Patricia Crofton, Deborah Doran, Terry Dazart, Shelia Freeman, Duane and Tracy Hamilton, Laurie Headings, David Henderson, Tony Herrin and Pattie McGee, Phillip Lindsey, Barbara Mayeux, Travis Mayeux, County Commissioner Ed Rinehart, Anita Severa, Melvin Sharpe, John and Leah Smith, Robert Smith, Linda Standley, Nancy Steward, Thomas Steward, Michael Walton, and Karen Welch commented that the facility would cause more flooding. CAML commented that Security and Midway may be exposed to contaminated water if flooding was not addressed. Melvin Sharpe commented that the TCEQ needed to address the flooding on the northwest side of the site. Karen Welch asked what effect the flooding would have on existing sewer lines. Those people identified in Group 9 were concerned about the possibility of property loss due to increased flooding. Laurie Headings asked what recourse a property owner would have if landfill runoff entered private property. Judge Alan Sadler, Linda Standley, David Stegenga, and David Tate (CAML) commented that the application did not contain adequate flood control, and that the application was contrary to TCEQ rules that prohibit a permitted facility from altering natural drainage patterns. Those people identified in Group 11 and Nora Renteria commented that there needed to be more studies of the effect of flooding. Melvin Sharpe commented that the facility would have a negative effect on surface water flow in the area.

Mary Carter (CAML) was concerned that increased impermeable surfaces at the proposed facility would increase runoff. CAML commented that the Applicant had failed to provide adequate information to demonstrate compliance with TCEQ rules regarding flood prevention and control during peak discharge from at least a 25-year storm. CAML commented that the Applicant failed to provide adequate information to demonstrate compliance with TCEQ rules regarding the location and quantities of surface water drainage entering, exiting, or internal to the site and the area subject to flooding by a 100-

year frequency flood, including Lawrence Creek, the tributary to Lawrence Creek, and the West Fork of Spring Branch. CAML commented that the current landfill design did not address surface water runoff, and frequent flooding from two creeks along the east and west boundaries that flowed into Security and Midway. Shelia Freeman was concerned about erosion from flooding. Kelli and Lee Moulder asked how drainage would be handled after the landfill was built, and when North Walker Road was widened.

RESPONSE 25:

An unregulated landfill may adversely affect flooding in two ways: by reducing flow or storage capacity of the floodplain, or by creating peak runoff in excess of natural (pre-construction) rates. To avoid these events, TCEQ rules require extensive information with regard to the effect on the 100-year floodplain and the effect that a 25-year/24-hour storm event will have on the surrounding area.⁵⁵ Based on the information provided by the Applicant, the Executive Director has determined that flooding will not be worsened by the construction of this facility.

COMMENT 26: (Liner)

Marigrace O'Neil and James Shropshire commented that the facility should be required to have a liner, and asked how water quality would be affected without the presence of a liner. Those people identified in Group 10 and Mel Fife commented that the excavation was near a fault line that could cause the land to shift and the liner to crack. Linda Collins, Mel Fife, Norma Gibson, Duane and Tracy Hamilton, Ernest Kanak, Jr., Albert and Shelia Nelson, John and Leah Smith, Billy Wagnon, and Karen Welch were concerned that the liner might not be sufficient and crack. John and Leah Smith asked if the liner for this site was usual for this type of landfill. CAML commented that the Applicant had failed to provide adequate information to demonstrate that the contaminated storage pond would have an approved liner covering the bottom and side slopes, as required by TCEQ rules. Leah Smith commented that there was no design possible that would protect the health and safety of the community and natural resources, and that the landfill could not be designed to account for the hydrology and geology of the area.

Mary Carter (CAML) and Rhonda Tate questioned the adequacy of the proposed liner. Ms. Carter also commented that the design, composition, and structural integrity of the liner were questionable, and that the Applicant could not scientifically demonstrate that the liner would not fail over the life of the landfill. Trudilee O'Neil commented that the use of clay did not constitute a liner, and that there was not a sufficient volume of clay for the liner. John and Leah Smith commented that the clay liner would not adequately protect the underlying groundwater. Mike Walton asked how a three foot clay liner would prevent perforation by a bulldozer pushing lumber, piping, and beam debris. Shelia Freeman asked how groundwater was kept out of the excavation while the liner was being constructed. Chrispen Johnson commented that if the liner and waste was

⁵⁵ 30 Tex. Admin. Code §§ 330.56(f) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.63(c)&(d) (West 2008)).

below the water table, waste or contaminants would get into the groundwater. John Romero, Jr. and Lorraine Romero commented that they were concerned that the liner would not prevent groundwater contamination.

RESPONSE 26:

The proposed facility is designed to minimize contamination of groundwater by the installation of a liner system and a groundwater monitoring system. The liner system design consists of a 36-inch-thick compacted clay liner with a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/sec) overlain by a 12-inch-thick layer of protective cover soil. The proposed liner meets the requirements for Type IV landfills.⁵⁶ The Applicant has proposed a dual groundwater monitoring system that will monitor both the Chicot and Evangeline aquifers, identified in the application as Strata II and IV. Nearly all of the 165 wells identified within 1 mile of the proposed facility are screened in one of these aquifers.

In the unlikely event of a liner failure, the permittee will be required to remove and reconstruct the damaged liner area and submit a Soil Liner Evaluation Report to the Commission for review. If a release of leachate is detected in the groundwater, the permittee will be required to take corrective action.⁵⁷

The clay used to construct the liner will be obtained from on-site excavation material. The Geology report indicates that Strata I, II, and III are comprised of sandy clay, clayey sand, and clay. Prior to liner construction, on-site soil will be evaluated by a materials testing laboratory to determine the proper moisture content and compaction required to obtain the 1×10^{-7} cm/sec hydraulic conductivity. TCEQ rules do not require an applicant to demonstrate that a sufficient volume of clay is available for on-site liner construction. If there is an insufficient volume of on-site clay, the Applicant is responsible for acquiring sufficient quantities elsewhere. The clay liner will be covered with 12 inches of soil, and the first five feet of waste will be free of brush and bulky items. Liners may be constructed below the water table by using a dewatering method, such as the under drain system that is proposed for this facility. The under drain system will be composed of a geocomposite drainage layer installed under the clay liner, which will allow the removal of groundwater that infiltrates the excavation. This allows the liner to be constructed without being subject to uplift forces exerted by groundwater infiltration. Once a sufficient volume of waste has been placed on the liner based on calculations provided in the Soil and Liner Quality Control Plan, the removal of groundwater from the under drain system may be stopped.

The proposed liner meets TCEQ liner requirements, written to protect underlying aquifers. The floor liner will be constructed in Stratum III, which lies between the Chicot and Evangeline aquifers, and is reported to have an average vertical hydraulic

⁵⁶ 30 Tex. Admin. Code § 330.200(e) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.331(d) (West 2008)).

⁵⁷ 30 Tex. Admin. Code §§ 330.236-330.238 (repealed 2006)(current version at 30 Tex. Admin. Code §§ 330.411-330.415 (West 2008)).

conductivity of 9.8×10^{-8} cm/sec. The Applicant has also designed a 36-foot-thick compacted clay plug that will be installed behind the side wall liner to prevent infiltration of groundwater from Stratum I (Chicot Aquifer) into the landfill unit and minimize the effects of contaminations from the unit on groundwater in Stratum II. The Applicant has estimated contaminant travel time through the compacted clay plug and liner to be 1,000 years.

The Applicant provided a fault study that indicated that there are no active faults that have had displacement during Holocene times (within the last 10,000 years). The nearest fault is reported to be the Bishop Fault, located 6.2 miles south-southwest of the proposed facility.

COMMENT 27: (Water and Soil Contamination)

Those people identified in Group 2, Group 3, Group 4, Group 5, Group 6, Group 7, Group 8, Group 9, Group 10, Group 11, and Dana Abernathy, Ruth Allen, Willie Mae Atkinson, Paul Bacque, Johnny Beall, Karen Beall, Denise Bell, Jason Bellini, Kimberly Bellini, Mrs. R. A. Benedict, Ralph E. Benedict II, Gary Biddle, Ken Burling, Charles E. Buzbee, Marie E. Buzbee, Patricia and Paul Clark, Vallye Chandler, James E. Clanton, Sherman J. Chenier-Cleveland, Floyd C. Collins, Linda Collins, Robert Collins, Tina Collins, Byard and Linda Crandall, Patricia Crofton, Joshua Davis, Elizabeth Dotson, Erin Dotson, Jim Dawson, Deborah Doran, Barbara, Leamon, and David Dowden, Belinda Faulkner, Ralph Drinkwater Floyd, Terri Gandy, Steven Garfield, Steven Gothard, Mark Grimes, Martha Guilbeaux, Kenny Hamby, Terry and Tracy Hamilton, Sandy and Steve Hamilton, Prescila Harris, Thomas Harrison, Laurie Headings, David Henderson, Daniel Heil, Jerri Heil, Tony Herrin and Pattie McGee, State Representative Ruben Hope, Jr., Judith Horne, Amber Hunt, Jimmy Hunt, Thornton Ireland, Ernest Kanak, Jr., Shelagh Kasinger, Crystal Kelsoe, Mary Lou Kirves (Texas Real Estate Group), Wayne Kocurek, Monte Harris Lane, Phillip Lindsey, Melody Logan, Christene Ludwig, Ronald Maffett, Barbara Mayeux, Travis Mayeux, Barbara Meche, Frankie Milley, Rosa Morelos, Albert and Shelia Nelson, Leda O'Neil, Marigrace O'Neil, Trudilee O'Neil, Sylvia Padilla, R. M. Palmer (International Paper, Realty Division), Carol Parten, Billy Pickering, Deborrah Pickering, Theresa Portillo, Carolyn Sue and Lawrence A. Rains, Dr. Dellanira Rangel, Jennifer Real, Lisa Reasor, Danielle Reich, County Commissioner Ed Rinehart, Carla Robles, Terry E. Rollins, John Romero, Jr., Lorraine Romero, Pedro Rosales, Jr., Judge Alan Sadler, Jack Safford, David W. Sargent, Jr., Bob and Lynda Sasser, Allen and Joyce Selph, Ruben Selph, Travis Selph, Anita Severa, Vicente Sifuentes, James Singleton, Sherry Smalling, Cassandra Smith, John and Leah Smith, Nikki Somplasky, Linda Standley, Linda Stegenga, Nancy Steward, Thomas Steward, Joseph Tanseu, David Tate (CAML), Rhonda Tate, Vicki Thompson, Jason Turner, Daniel Vargas, Billy Wagnon, Janice Walkins, Shaun Wallace, Michael Walton, Cynthia Watford, James R. Watkins, Cody Weaver, Angela Welch, Clifford Welch, Dale Welch, Joann and Thomas Welch, Karen Welch, Sabrina Westerfeld, Jacqueline Woychesin, Ladgie Zotyka, Jr., and Paul Zylman commented that they were concerned that the facility might contaminate surface and groundwater in the surrounding area. Jim Dawson commented that the landfill should be located a sufficient distance from the

aquifers. Mary Carter (CAML) commented CAML was especially concerned that water wells serving several hundred families that live within one mile of the site were in danger because they used water wells screened at depths ranging from 30 to 200 feet, and the wells were perforated in either the Chicot or Evangeline aquifers that were primary sources of drinking water for the area. Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant failed to provide adequate information that documented all wells, springs, and waterbodies within 500 feet of the proposed site. Ms. Carter also commented that contaminated water leaking below the proposed landfill could contaminate wells in the adjacent county. Trudilee O'Neil commented that the Applicant did not provide adequate information regarding the number of wells in the vicinity of the proposed facility. Shelia Freeman, Luine Hancock (State Senator Robert Nickols), State Representative Ruben Hope, Jr., and State Senator Robert Nickols commented that they were concerned with the contamination of water wells and the area's drinking water supply. County Commissioner Ed Rinehart commented that issuing the permit would put water wells from Cut and Shoot, Security, New Caney, Porter, and other areas at risk. Judge Alan Sadler was concerned that there had been an increase in actual and proposed water wells in the area since the application was submitted. David Tate (CAML) commented that the Applicant used old water well information that indicated that the last well was drilled 6 years ago. Rhonda Tate commented that the contamination of water wells and surface water was imminent. State Representative Ruben Hope, Jr. commented that drainage problems and heavy flooding could contaminate shallow wells in the area, causing a major health hazard. Terry Dauzart was concerned that the landfill would be deeper than area wells, and asked if the Applicant would pay to deepen private wells in the area. Mary Carter (CAML), CAML, Judge Alan Sadler, John and Leah Smith, Linda Standley, and David Stegenga commented that the application had not adequately identified the uppermost aquifer, hydraulically connected aquifers, or the aquiclude beneath the groundwater system or the wells, bodies of water, and springs within one mile. Jim Dawson commented that nearby waterways fed into the Houston water supply. CAML, Ronald Maffett, Rhonda Tate, and Jacqueline Woychesin commented that Lawrence and West Fork Spring Branch Creeks flowed into Caney Creek and Lake Houston. Amarian Castillo, R. A. Benedict, James E. Clanton, Patricia Crofton, Elizabeth Dotson, Kenny Hamby, Sandy and Steve Hamilton, State Representative Ruben Hope, Jr., Albert A. Nelson, and Lisa Reasor commented that they were concerned about soil contamination. Travis Selph commented that he was concerned about the effect contaminated dust would have on vegetable gardens.

County Commissioner Ed Rinehart and Rhonda Tate commented that the proposed storm water detention ponds would not be adequate during periods of major flooding in the area. Shelia Freeman commented that the ponds were not adequate to deal with heavy rains or storms resulting from hurricanes. Trudilee O'Neil commented that the storm water retention ponds were not large enough to control water from the creeks that cross the facility. Melvin Sharpe commented that he was concerned that the ponds would leak and contaminate the surrounding water bodies. Dr. Dellanira Rangel was concerned that the runoff from the facility would pollute nearby creeks and lakes. Those people identified in Group 1 commented that the Applicant had not adequately demonstrated that surface water and run-on water containing pollutants would escape the

site and flow into Lawrence Creek or its tributaries, the West Fork of Spring Branch, surrounding jurisdictional wetlands, or surrounding private property. Those people identified in Group 1 also commented that H-GAC stated that the Applicant should demonstrate that the landfill would not exacerbate localized flooding. Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant had not provided adequate information about groundwater and aquifer conditions at the site. Ms. Carter commented that the Applicant had failed to provide adequate information demonstrating compliance with the TCEQ rules regarding the design, construction, and maintenance of a run-on control system capable of preventing flow on the active portion of the landfill during the discharge from a 25-year storm. Ms. Carter also commented that the current landfill design did not adequately address surface water runoff and localized sheet flooding from storm events. Linda Stegenga commented that the Applicant had not provided an adequate plan to prevent runoff from the landfill. Ms. Stegenga also commented that the Applicant had failed to demonstrate that the natural drainage pattern would not be altered. Thornton Ireland commented that contaminated runoff from the landfill would contaminate groundwater, rendering it unpotable for human consumption.

Rhonda Tate commented that the landfill would be placed near the recharge zone of the Evangeline Aquifer. Those people identified in Group 11 and Nora Renteria commented that there needed to be more studies of the effect on water contamination. Donald Stockton (Conroe I.S.D.) commented that he was concerned about water quality. Barbara McCleane commented that there could be lead contamination of groundwater. Frankie Milley commented that the area was a hotspot for meningitis bacteria, and that other bacteria and viruses were found in contaminated dump materials that could end up in sources that supply the community's drinking water. Those people identified in Group 4 and Melissa Barton, Patricia Crofton, Jim Dawson, Shelia Freeman, Laurie Headings, Judith Home, Carla Robles, Ruben Selph, Travis Selph, Linda Standley, Ladgie Zotyka, Jr., and Paul Zylman commented that water contamination would result in the contamination of livestock and humans. Those identified in Group 11 and Jim Dawson, Carla Robles, and Linda Standley commented that gardens and crops would be exposed and damaged by contaminated flood water from the landfill. Kenny Hamby commented that water contamination would worsen the condition of the chronically ill. Those people identified in Group 10 and David Tate (CAML) commented that the Applicant would contaminate the water so that the Applicant could install a commercial water system that residents would be forced to buy. Those people identified in Group 4 and Group 11 and Melissa Barton, Mel Fife, David Tate (CAML), and Karen Welch were concerned that, if the water were contaminated, would the residents receive adequate and timely notice. Travis Selph asked who bore the cost of testing water facility runoff and wells. CAML commented that the Applicant had not provided a comprehensive groundwater monitoring plan for the site sufficient to protect the neighborhood down gradient of the site. Ernest Kanak, Jr. asked if the TCEQ was aware that the seasonal groundwater was in the area of 18 inches. Linda Collins, Tina Collins, Terry Dausart, Jim Dawson, Norma Gibson, Phillip Lindsey, Travis Mayeux, Albert and Shelia Nelson, Caron Parten, Travis Selph, John and Leah Smith, Rhonda Tate, Billy Wagnon, Karen Welch, Sabrina Westerfeld, and Ladgie Zotyka, Jr. were concerned about possible contaminated runoff.

RESPONSE 27:

The Applicant has indicated in the Geology Report that the recharge area for the Evangeline aquifer lies approximately 10 to 14 miles northwest of the proposed landfill site. Pursuant to TCEQ rules, the Applicant indicated aquifer recharge areas within 5 miles of the proposed landfill site.⁵⁸

The proposed facility is designed to minimize the contamination of groundwater by the installation of a liner system and a groundwater monitoring system. The liner system design consists of a three foot compacted clay liner with a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/sec) overlain by a 12-inch-thick layer of protective cover soil. The Applicant has proposed a dual groundwater monitoring system that will monitor both the Chicot and Evangeline aquifers, identified in the application as Strata II and IV. Nearly all of the 165 wells identified within 1 mile of the proposed facility are screened in one of these aquifers.

If groundwater contamination is determined to have occurred, the Executive Director may order corrective action appropriate to protect human health and the environment.⁵⁹ As part of that corrective action, the owner or operator must discuss the results of the corrective action assessment in a public meeting with interested and affected parties.⁶⁰ Within 30 days of completing the corrective action assessment, the permittee must submit an assessment report to the Commission for review and approval that includes a schedule for the implementation of a corrective action program.⁶¹

The Applicant provided information on 165 known groundwater wells and identified creeks and wetlands within one mile of the proposed site location. The application specifies a below grade excavation of approximately 47 feet to an elevation of 167.4 feet above mean sea level. Wells identified within one mile of the proposed site range in depth from 23 to 485 feet below ground surface. Of the 165 wells identified, three wells are drilled to a depth of 23 or 30 feet below ground surface. The majority of wells within one mile are drilled to a depth of greater than 100 feet. TCEQ rules do not require an applicant to pay to deepen surrounding wells. After review of the information provided, the Executive Director has determined that the Applicant has provided the information required by TCEQ rules.

⁵⁸ 30 Tex. Admin. Code § 330.56(d)(4)(I) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.63(e)(3)(I) (West 2008)).

⁵⁹ 30 Tex. Admin. Code § 330.239(b)(7) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.417(b)(7) (West 2008)).

⁶⁰ 30 Tex. Admin. Code § 330.236(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.411(d) (West 2008)).

⁶¹ 30 Tex. Admin. Code § 330.237(a)&(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.413(a)&(d) (West 2008)).

Pursuant to TCEQ rules, the proposed landfill design will include levees with a three-foot freeboard to protect against a 100-year flood event.⁶² The proposed facility will channel storm water that has not contacted waste through sedimentation/detention ponds to minimize suspended solids from the effluent before discharge. Leachate, condensate, or storm water that has contacted waste is considered to be contaminated water. In accordance with the Texas Pollutant Discharge Elimination System (TPDES) program, contaminated water may not be discharged from the facility without written authorization.⁶³ The owner or operator must handle, store, treat, and dispose of surface or groundwater that has contacted the working face of the landfill or leachate.⁶⁴ The SOP provides a Leachate and Contaminated Water Plan for the proposed facility. The Applicant has proposed to construct a berm downhill of the working face and areas that will be covered by weekly cover to collect contaminated water. Contaminated water will be maintained with lined cells and pumped directly to vacuum trucks for disposal as soon as practicable. Berms will provide storage for the 25-year/24-hour storm event. MSW rules do not directly establish design parameters for storm water ponds. Attachment 6 of the application indicates that storm water discharge rates and velocities from the landfill will be less than under current conditions. This is a result of the storm water collection structure, which directs a storm event through drainage swales, downchutes, drainage ditches, and retention ponds before discharging storm water. The Executive Director has determined that the proposed measures meet TCEQ requirements for the protection of ground and surface water, and should be sufficient to protect nearby water wells and surface waters downstream of the proposed facility.

COMMENT 28: (Contaminated Water Management)

Susan Lane commented that there was no way for the Applicant to separate rainwater from contact water. Ms. Lane also commented that the Applicant did not state where the contact water would be taken to be disposed of. Those people identified in Group 1, Mary Carter (CAML), and Linda Stegenga commented that the Applicant has failed to provide sufficient information to demonstrate compliance with TCEQ rules about how it will handle, store, treat, and dispose of surface water that had become contaminated at the landfill. Those people identified in Group 1, Mary Carter (CAML), and Linda Stegenga commented that the Applicant had failed to provide sufficient information to demonstrate compliance with TCEQ rules regarding design, construction, and maintenance of a runoff management system from the active portion of the landfill that would collect and control the water volume resulting from a 24-hour, 25-year storm. State Senator Robert Nickols and Mike Walton commented that the Applicant had failed to demonstrate how it would prevent contaminated runoff from entering Lawrence Creek and other waterways. Ruben Selph and Travis Selph questioned whether it would be harmful to consume fish and other game that had ingested contaminated water. Mary

⁶² 30 Tex. Admin. Code § 330.55(b)(7)(B) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.307(b)(1) (West 2008)).

⁶³ 30 Tex. Admin. Code § 330.139 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.207)(e) (West 2008)).

⁶⁴ 30 Tex. Admin. Code § 330.55(b)(6) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.305(g) (West 2008)).

Carter (CAML) commented that her clients were concerned about the impact that contaminated water would have on cattle grazing land, ponds used to water cattle, and possible human health impacts from the consumption of exposed cattle.

RESPONSE 28:

Part III, Attachment 15 of the application indicates that contaminated water will be segregated from storm water. Berms will be constructed downhill from the active face of the landfill which will contain a 25-year/24-hour storm event. Containment areas are based on the active working face size. Any water captured by these berms will be treated as contaminated, as it will have contacted waste or been combined with water that has been in contact with waste. Contaminated water and non-contact storm water from elsewhere within the permitted boundary are never combined. Berms will also be constructed above the active face so that storm water will be diverted and remain uncontaminated. It is only this uncontaminated storm water that will be discharged from the facility, pursuant to a separate Texas Pollutant Discharge Elimination System (TPDES) storm water permit. As indicated by Part III, Attachment 15, contaminated water will be collected by vacuum trucks then transported to and disposed of at a permitted wastewater treatment facility.

COMMENT 29: (Groundwater Monitoring)

Rhonda Tate commented that the proposed groundwater monitoring wells were inadequate because there were too few and spaced too far apart. Ms. Tate also commented that the time between a release to groundwater and the shutdown of the facility was too long. Susan Lane commented that the Applicant could not obtain an accurate account of groundwater deterioration if the monitoring wells were only located in the facility buffer zone. Karen Welch asked how often the groundwater was checked, and how soon after a release would the public be notified. State Representative Brandon Creighton asked how the TCEQ could ensure the public that the landfill would not contaminate groundwater. Representative Creighton also asked how long the TCEQ monitored groundwater for possible contamination. Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant had not provided an adequate groundwater monitoring plan, sufficient to protect the neighborhood down-gradient of the site.

RESPONSE 29:

In its application, the Applicant has indicated that the recharge area for the Evangeline aquifer lies approximately 10 to 14 miles northwest of the proposed landfill site. Pursuant to TCEQ rules, the Applicant indicated all areas of aquifer recharge within five miles of the proposed landfill site.⁶⁵ Based on the design of the facility and the underlying hydrology, a dual monitoring system is proposed that will monitor groundwater in both the Chicot and Evangeline Aquifers, noted as Strata II and IV in the

⁶⁵ 30 Tex. Admin. Code § 330.56 (repealed 2006) (current version at 30 TAC § 330.63(e)(3)(I) (West 2008)).

Geology Report. The Stratum II groundwater monitoring system will consist of 29 monitoring wells equally spaced around the entire waste disposal area. The distance between monitoring wells for the Stratum II monitoring system is approximately 600 feet apart. The Stratum IV groundwater monitoring system will consist of 18 monitoring wells, two of which are classified as background wells while the remaining 16 are classified as down-gradient or point of compliance wells. The approximate distance between the point of compliance monitoring wells for the Stratum IV groundwater monitoring system is 300 feet. Monitoring well systems are commonly installed within the buffer zone due to the fact that TCEQ rules require that point of compliance monitoring wells be installed no greater than 500 feet from the waste management unit.⁶⁶

Prior to waste placement, background groundwater quality will be determined, and the data utilized for a comparison between groundwater data collected after waste is in place in the unit. Detection monitoring at Type IV landfills is conducted annually.⁶⁷ If groundwater contamination is determined to have occurred, the Executive Director may order corrective action appropriate to protect human health and the environment.⁶⁸ As part of the corrective action, the owner or operator must discuss the results of the corrective action assessment in a public meeting with interested and affected parties.⁶⁹ Within 30 days of completing the assessment of the corrective action, the permittee must submit an assessment report to the Executive Director, which includes a schedule for the implementation and completion of the scheduled remedies.⁷⁰

TCEQ rules require an applicant to provide a geology report that provides information regarding aquifer properties, formation properties, faulting, and unstable areas.⁷¹ The Applicant's Geology Report identifies five strata underlying the site. Strata II and IV are identified as water bearing units, and Strata III and V are identified as aquicludes. Properties such as formation and aquifer thickness, permeability, moisture content, sieve analysis, soil Atterberg limits, and water levels are provided in the Geology Report. The Executive Director has determined that sufficient information has been obtained from subsurface investigations, and was provided in compliance with TCEQ rules.

COMMENT 30: (Total Maximum Daily Load)

⁶⁶ 30 Tex. Admin. Code § 330.231(a)(2) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.403(a)(2) (West 2008))

⁶⁷ 30 Tex. Admin. Code § 330.239(b)(4) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.417(b)(4) (West 2008)).

⁶⁸ 30 Tex. Admin. Code § 330.239(b)(7) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.417(b)(7) (West 2008)).

⁶⁹ 30 Tex. Admin. Code § 330.236(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.411(d)).

⁷⁰ 30 Tex. Admin. Code § 330.237(a)&(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.413(a)&(d) (West 2008)).

⁷¹ 30 Tex. Admin. Code § 330.56(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.63(e) (West 2008)).

Garry Biddle indicated that the landfill would violate the project limits established by the Total Maximum Daily Load (TMDL) for the Lake Houston Watershed.

RESPONSE 30:

The federal Clean Water Act (CWA) requires each state to conduct water quality assessments to determine whether its streams, lakes, and estuaries are sufficiently healthy to meet their designated uses.⁷² Subsection 303(d) of the CWA requires each state to submit to the EPA a list of waters not meeting water quality standards or supporting designated uses.⁷³ The final approved list of impaired waters is known as the "303(d) List." Each state is required to develop TMDLs, which specify limits for the addition of pollutants responsible for the water quality impairment, for all water bodies on its 303(d) List.

The TCEQ has identified fourteen segments in seven different waterbodies in the Lake Houston Watershed area as impaired for elevated concentrations of bacteria.⁷⁴ While bacteria limits have been established, implementation measures to meet these limits are on-going. The proposed facility will channel storm water that has not contacted waste through sedimentation/detention ponds to minimize suspended solids from the effluent before discharge. Leachate, condensate, or storm water that has contacted waste is considered to be contaminated water. In accordance with the Texas Pollutant Discharge Elimination System (TPDES) program, contaminated water may not be discharged from the facility without written authorization.⁷⁵ The owner or operator must handle, store, treat, and dispose of surface or groundwater that has contacted leachate.⁷⁶ The SOP provides a Leachate and Contaminated Water Plan for the proposed facility. The Applicant has proposed to construct a berm downhill of the working face and areas that will be covered by weekly cover to collect contaminated water. Contaminated water will be maintained with lined cells and pumped directly to vacuum trucks for disposal as soon as practicable. With these control measures in place, the Executive Director does not anticipate that the proposed facility will contribute to the bacteria impairment found in the Lake Houston Watershed.

COMMENT 31: (Endangered Species and Wetlands)

Melvin Sharpe commented that the new entrance road would cross wetlands, and therefore the Applicant would need a permit from the Army Corp of Engineers. Jim Dawson commented that he was concerned about the facility's impact on the 20 plus designated wetlands on-site. Those people identified in Group 1 and Mike Walton commented that the Applicant failed to adequately demonstrate that wetlands, and

⁷² 33 U.S.C. § 1315(b) (2008).

⁷³ 33 U.S.C. § 1313(d) (2008).

⁷⁴ See Lake Houston: A TMDL Project for Bacteria, "Project Overview," (September 2008), available at <http://www.tceq.state.tx.us/implementation/water/tmdl/82-lakehouston.html>.

⁷⁵ 30 Tex. Admin. Code § 330.139 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.207)(e) (West 2008)).

⁷⁶ 30 Tex. Admin. Code § 330.55(b)(6) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.305(g) (West 2008)).

associated wildlife, including migratory birds, would not be disturbed or harmed. Mary Carter (CAML) commented that poor facility design would cause contaminants to damage wetlands during flooding events. Ms. Carter also commented that the U.S. Army Corps of Engineers on-site inspection found approximately 57 acres of non-jurisdictional wetlands would be destroyed during the construction of the facility. Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant failed to demonstrate that the facility would not adversely impact the critical habitat of endangered or threatened species. Ms. Carter also commented that the Applicant failed to demonstrate that the landfill would not cause or contribute to the taking of endangered or threatened species. Those people identified in Group 2, Group 3, Group 7 and Melissa Barton, Phillip Branch, Jim Dawson, Deborah Doran, Mel Fife, Claudia Hubbard, Steven Matthews, David Rendon, Carla Robles, John and Leah Smith, Thomas Steward, David Tate (CAML), Rhonda Tate, Karen Welch, Sabrina Westerfeld, and Jacqueline Woychesin commented that the facility would be built on wetlands, that it immediately bordered or was too close to 21 officially protected or jurisdictional wetlands, and that the destruction would negatively affect wildlife, including migratory birds such as falcons, geese, ducks, and sandhill cranes; as well as having other negative environmental impacts. CAML, Claudia Hubbard, Patsy Matthews, Thomas Steward, and Jacqueline Woychesin commented that the facility site provided a habitat for the endangered red-cockaded woodpecker. David Tate (CAML) commented that the Applicant had not demonstrated that the facility would not destroy or adversely impact the critical habitat of endangered or threatened species. CAML commented that the Applicant chose not to mitigate 11 wetlands that the U.S. Army Corps of Engineers found to be non-jurisdictional wetlands. Mary Carter (CAML), Floralee and James Lovell, Leda O'Neil, and Linda Stegenga commented that they were concerned that the facility would negatively impact wildlife. Patricia and Paul Clark, Travis Selph, and James Shropshire were concerned that the facility would be a danger to wildlife and livestock. Jim Dawson suggested that the TCEQ do an amphibious tour before granting the permit.

RESPONSE 31:

In response to the first technical notice of deficiency, the Applicant reduced the area of the waste unit to avoid jurisdictional wetlands (i.e., wetlands that are under the jurisdiction of the U.S. Corps of Engineers under the federal Clean Water Act). Non-jurisdictional wetlands would be affected by the proposed design, but the TCEQ does not have authority to regulate and protect non-jurisdictional wetlands under its MSW program.

TCEQ rules required the Applicant to submit an Endangered Species Act compliance demonstration.⁷⁷ The Applicant contacted Texas Parks and Wildlife Department and the U.S. Department of the Interior, Fish and Wildlife Service, regarding the proposed facility. These agencies indicated that several federal and state-listed species could be affected by proposed activities and recommended further investigation. The Applicant then hired Crouch Environmental Services, Inc., to perform a Protected

⁷⁷ 30 Tex. Admin. Code § 330.53(b)(13) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.61(n) (West 2008)).

Species Site Investigation. The conclusion of this investigation was that “no threatened or endangered plants or animals will be affected by the proposed construction” and “the subject property contains no critical habitat to support any endangered plant or animal species.”⁷⁸ TCEQ staff has determined that the Applicant has satisfied this requirement.

The Applicant provided changes to the technically complete application on August 22, 2008. These changes included a new access road from the permit boundary to SH 105 on land owned by the Applicant, but outside the permit boundary. The Executive Director has limited authority over property features outside the permit boundary. However, out of consideration for all-weather access and the effect that the proposed access road would have on the floodplain, MSW staff requested information about how the access road would be designed. The Applicant’s response to the Executive Director’s Notice of Deficiency (NOD) indicated that the access road will be elevated by a bridge structure in the areas where it crosses the floodplain; although, the final design had not yet occurred. The response also indicated that the Applicant would coordinate with the Montgomery County Engineer’s Office regarding the bridge design. MSW staff included a Special Provision in the draft permit that requires the Applicant to document its coordination with the Montgomery County Engineer’s Office.

COMMENT 32: (Air Pollution)

Ruth Allen, Jason Bellini, Kimberly Bellini, Gary Biddle, Charles Buzbee, Marie Buzbee, Sherman Cheinier-Cleveland, Byrad Crandall, Linda Crandall, Lisa Ford, Terri Gandy, Daniel Heil, Sanjuana Hernandez, James Lovell, Ronald Maffett, Linda Middleton, Albert Nelson, Shelia Nelson, Leda O’Neil, Jennifer Real, John Romero, Jr., Lorraine Romero, David Rondon, David Sargent, Allen and Joyce Selph, Ruben Selph, Travis Selph, Ciara Smalling, Linda Standley, Linda Stegenga, Rhonda Tate, James Walkinshaw, Dale Welch, and Karen Welch commented that they were concerned about the proposed facility’s impact on air quality. Linda Collins, Tina Collins, Jim Dawson, Norma Gibson, Duane Hamilton, David Henderson, Wayne Kocurek, Phillip Lindsey, Albert and Shelia Nelson, Trudilee O’Neil, R. M. Palmer (International Paper, Realty Division), Carol Parten, Francisco Ramirez, Karen Ramirez, Carla Robles, Pedro Rosales, Jr., Ruben Selph, Travis Selph, Linda Standley, Donald Stockton (Conroe I.S.D.), David Tate (CAML), Billy Wagon, Michael Walton, and Karen Welch commented that they were concerned about how air quality would be affected by dust from trucks accessing the facility. Daniel Heil, Jerri Heil, and Thornton Ireland commented that they were concerned about dust generated by the landfill. Travis Selph and Linda and Ricky Standley commented that they were concerned about health risks from airborne contaminants. Sherry Glaze commented that she was concerned about a possible increase in respiratory problems due to the landfill. Rhonda Tate commented that she was concerned about toxic fumes emanating from the landfill. Those people identified in Group 5 and Thomas Beers, Denise Bell, Phillip Branch, Elvira and Yolanda Cervantez, Tina Collins, Linda Collins, Barbara, David, and Leamon Dowden, L. V. Dowden, Kenneth and Mary Everitt, Carla Robles, Bob and Lynda Sasser, Travis Selph, and Michael Walton commented that the increased air pollution due to the facility would

⁷⁸ See Part II, Appendix H, of the application.

affect the health of the elderly, children, and people with lung conditions. Kenneth and Mary Everitt were concerned about air pollution caused by burning at the facility. Travis Selph commented that he was concerned about how air pollution would affect plant life, and was concerned about the health effects from mold and mildew. John and Leah Smith commented that the Applicant failed to provide sufficient information to demonstrate compliance with TCEQ air rules. Those people identified in Group 11 and Nora Renteria commented that there needed to be more research conducted on how the landfill would affect air quality.

RESPONSE 32:

The State of Texas requires air emission sources to obtain a permit.⁷⁹ Emissions from MSW facilities, including waste processing and vehicle exhaust, are permitted by rule.⁸⁰ Although air emissions at facilities are not specifically limited, there are many rules intended to reduce air emissions to mitigate any effect on the surrounding community. These include: establishing buffer zones;⁸¹ prohibiting the open burning of solid waste;⁸² using all-weather roads;⁸³ dust suppression;⁸⁴ and weekly cover to control disease vectors, fires, odors, windblown litter or waste, and scavenging.⁸⁵ The Applicant's SOP indicates the use of crushed stone for all-weather access roads to minimize dust and mud. The proposed facility design also includes the minimum 50-foot buffer zone from the permitted boundary to the waste disposal area. TCEQ staff has determined that this application complies with applicable agency rules.

COMMENT 33: (Landfill Gas & Hydrogen Sulfide Generation)

Rhonda Tate commented that deadly landfill gas would migrate offsite. John and Leah Smith, George, Linda, and Rick Standley, and Linda Stegenga commented that they were concerned about the production of hydrogen sulfide (H₂S) resulting from the disposal of wet drywall or sheet rock.

RESPONSE 33:

Owners or operators of all landfill MSW units are required to implement a methane monitoring program to ensure that the concentration of methane gas generated by the facility does not exceed a concentration of 1.25 percent by volume in facility

⁷⁹ Tex. Health & Safety Code § 382.085 (West 2008).

⁸⁰ 30 Tex. Admin. Code § 106.534 (West 2008).

⁸¹ 30 Tex. Admin. Code § 330.121(b) (repealed 2006)(current version at 330.543(b) (West 2008)).

⁸² 30 Tex. Admin. Code § 330.5(d) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.15(d) (West 2008)).

⁸³ 30 Tex. Admin. Code § 330.127(a) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.153(a) (West 2008)).

⁸⁴ 30 Tex. Admin. Code § 330.127(b) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.153(b) (West 2008)).

⁸⁵ 30 Tex. Admin. Code § 330.133(a) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.165(a)&(b) (West 2008)).

structures and 5 percent by volume at monitoring points at the facility boundary.⁸⁶ The application indicates that there will be 17 landfill gas probes that will monitor quarterly for methane gas, which is the primary explosive gas in landfill gas. If the methane gas is detected above the action levels as specified in the rule, the facility must take actions specified in the Landfill Gas Monitoring Plan to control and remediate the landfill gas issue.⁸⁷ Neighboring residents, relevant local governmental agencies, the TCEQ, and other entities will be notified of the detection of landfill gas over the action levels.⁸⁸ TCEQ rules do not require monitoring for H₂S.

COMMENT 34: (General Concerns)

Gabriela Gonzalez, Jackalyne Gonzalez, Tony Herrin and Pattie McGee, Monte Lane, Stella Luton, Danielle Reich, Nora Renteria, Paul Simmons, Arlinda Smith, Billy Smith, Michael Walton, Joann and Thomas Welch, Margie Wood, and Jacqueline Woychesin were concerned about short and long-term health effects on the residents. Gary Biddle, Ralph Drinkwater Floyd, Kenny Hamby, Shelia Hardrick, Thomas Harrison, Sanjuana Hernadez, Monte Harris Lane, Alan P. Schuler, Allen and Joyce Selph, Travis Selph, George Standley, Linda Stegenga, Janice Walkens, James E Walkinshw, Michael David Walton, and Angela Welch also had general health and safety concerns. Ralph Drinkwater Floyd, David Tate, and Rhonda S. Tate commented that people will develop diseases from the landfill. Linda Stegenga commented that cancer deaths are higher than expected in the 77327 and 77328 area codes, where the Waste Management Security Landfill is located. Patricia and Paul Clark, Mary Lou Kirves (Texas Real Estate Group), and Esther Williams were concerned about the general environmental quality of the area, and the environmental safety of the landfill. David Rondon questioned the TCEQ's role, and commented that the TCEQ should protect the people in his community. Jason Bellini, Charles E. Buzbee, Marie E. Buzbee, Vallye W. Chandler, and Michael David Walton commented that the landfill would reduce the quality of life in the surrounding area.

RESPONSE 34:

MSW rules are designed to protect human health and the environment. MSW rules require a liner designed to protect against releases, groundwater monitoring, landfill gas management, storm water run-on and runoff control, access control, and limitations on the types of waste that can be accepted. TCEQ staff has reviewed the application, and determined that it complies with all applicable MSW rules. Should the permit be issued, provided that the Applicant operates and maintains the facility according to TCEQ rules and the requirements contained in the draft permit, the proposed facility will not adversely affect human health or the environment. Potential impacts to the quality of life in the area surrounding the proposed facility are outside the scope of the normal evaluation of a municipal solid waste application.

COMMENT 35: (Waste Reduction, Reuse, and Recycling)

⁸⁶ 30 Tex. Admin. Code § 330.371 (West 2008).

⁸⁷ 30 Tex. Admin. Code § 330.371(c) (West 2008).

⁸⁸ 30 Tex. Admin. Code § 330.371(c)(1) (West 2008).

Ken Burling commented that alternatives to disposal, such as recycling and burning waste for energy, should be considered. David Henderson and Jacqueline Woychesin commented that they were concerned that the facility did not have a sustainable solid waste management plan (to reduce, reuse, and recycle) and that they thought it should.

RESPONSE 35:

The TCEQ encourages source reduction, reuse, and recycling in many ways, such as the Resource Exchange Network for Eliminating Waste (RENEW) program and the Computer Equipment Recycling Program. However, TCEQ rules do not require MSW permit applicants to recycle. Regional or local solid waste management plans must establish recycling rate goals appropriate to the area covered by the plan.⁸⁹

COMMENT 36: (Notices of Deficiency)

Linda Standley was concerned that the facility had received 51 notices of deficiency.

RESPONSE 36:

TCEQ rules allow an applicant to address and correct deficiencies in an application identified by the Executive Director in a Notice of Deficiency (NOD) within a certain period of time.⁹⁰ The Executive Director may issue two NODs before returning the application.⁹¹ In this case, staff issued two NODs to the Applicant. The first NOD for this application included 51 items, many of which were duplications due to the fact that MSW rules often cover an issue in more than one location. After the Applicant responded to the first NOD, a second NOD was issued. All deficiencies were resolved to the satisfaction of the Executive Director before the application was declared technically complete.

COMMENT 37: (Future Change of Status)

Denise Bell, Tony Herrin and Pattie McGee, Wayne Kocurek, Trudilee O'Neil, R. M. Palmer (International Paper, Realty Division), Linda Standley, Rhonda Tate and Karen Welch were concerned about the possibility of the landfill changing its status from a Type IV to a Type I.

RESPONSE 37:

⁸⁹ Tex. Health & Safety Code § 363.064(a)(8) (West 2008).

⁹⁰ 30 Tex. Admin. Code § 281.19(c) (West 2008).

⁹¹ Id.

Should the permit be issued, Section 361.123 of the Texas Health and Safety Code would prohibit the facility from converting from a Type IV landfill to a Type I landfill.⁹²

COMMENT 38: (Mineral Rights)

Lennice Cargill (Keystone Natural Resources), Mel Fife, Leah Smith, Mary Carter (CAML) and David Tate (CAML) commented that the landfill would interfere with individual mineral rights that were not under the control of the Applicant; specifically, four drill sites located at the four corners of the property.

RESPONSE 38:

Mineral rights are dominant over the surface estate in Texas. Surface property owners are required to provide access so that mineral owners may exercise their rights. The TCEQ does not have jurisdiction from the legislature to regulate mineral rights. Questions about mineral rights should be directed to the Texas Railroad Commission. Waste disposal authorizations from the TCEQ do not grant any property rights or special privileges to the holder of those authorizations.

COMMENT 39: (Property Value & Area Development)

Those people identified in Group 3 and Group 6, and State Senator Robert Nickols, Dana Abernathy, Linda Kay Crandall, Jason Bellini, Kimberly Bellini, Charles E. Buzbee, Marie E. Buzbee, Joshua Davis, Belinda Faulkner, Ralph Drinkwater Floyd, Lisa and Venessa Ford, Sherry Glaze, Mark Grimes, Martha Guilbeaux, Prescila Harris, Thomas Harrison, Linda Middleton, J. Sandles, Nikki Somplasky, Donna Vandermoleni, Dan Wallace, Shaun Wallace, Shawn Watford, James R. Watkins, Cody Weaver, Jay M. Wright, Lunie Hancock (State Senator Robert Nickols), Dan Heil, Jerri Heil, Vallye Chandler, Patricia and Paul Clark, Linda Collins, Tina Collins, Superintendent Leon Cubillas (Splendora I.S.D.), Deborah Doran, Mel Fife, Norma Gibson, Dan Glassel (Blessing Residential, Inc.), Sandy and Steve Hamilton, David Henderson, Tony Herrin and Pattie McGee, Judith Horne, Shélagh Kasinger, Mary Lou Kirves (Texas Real Estate Group), Melody Logan, Stell Luton, Ronald Maffett, Frankie Milley, Albert and Shelia Nelson, R. M. Palmer (International Paper, Realty Division), Billy Pickering, Deborah Pickering, Nora Renteria, Bob and Lynda Sasser, Cassandra Smith, John and Leah Smith, Linda Stegenga, Nancy Steward, David Tate (CAML), David and Rhonda Tate, Billy Wagnon, Michael Walton, Marcia Warner, Karen Welch, Sabrina Westerfeld, Margie Wood, and Paul Zylman commented that the facility would cause lower property values and discourage additional growth in the area. Keith Berger asked if the Applicant would purchase his property at fair market value. County Commissioner Ed Rinehart, R. M. Palmer (International Paper, Realty Division), Jan Stallworth, Michael Walton, David Henderson, Bob and Lynda Sasser, and Linda Stegenga commented that the facility would negatively affect the tax base and result in less money funding the school district. Jay M. Wright commented that the landfill would adversely impact the development of

⁹² Tex. Health & Safety Code § 361.123(c) (West 2008).

an international theme park planned for the area, ultimately resulting in a decline in property and sales taxes. Billy Pickering and Deborrah Pickering commented that the landfill would cause an increase in insurance costs. Barbara, David, and Leamon Dowden, and L. V. Dowden commented that they would suffer economically from having to move from the area, and that this would cause them to file bankruptcy. Dan Glassel (Blessing Residential, Inc.) was concerned that the facility would lead to a decline in area development, and a corresponding loss of business and profit. Amber and Jimmy Hunt, and Crystal Kelsoe commented that the landfill would prevent growth of businesses in the area, and would ultimately create a slum. Vicki Thompson, Susana Magana, Tony Herrin and Pattie McGee, and Michael Walton commented that the landfill would have a detrimental effect on heritage, morale, and quality of life in the community.

RESPONSE 39:

The Texas Legislature has tasked the TCEQ with regulating the management of municipal solid waste in the state. TCEQ rules were promulgated to protect human health and safety, and the environment. Potential impacts on property values, the local tax base, community heritage, community morale, or quality of life in the community are outside the scope of the normal evaluation of a municipal solid waste application. With regard to future development, TCEQ rules state that "a primary concern is that the use of any land for an MSW site not adversely impact human health or the environment. The impact of the site upon a city, community, group of property owners, or individuals must be considered in terms of land use, zoning in the vicinity, community growth patterns, and other factors associated with the public interest."⁹³ The Applicant is required to submit information regarding: zoning at the site and in the vicinity of the site; the character of the surrounding land uses within one mile of the proposed facility; growth trends of the nearest community with directions of major development; the proximity to residences and other uses, such as schools, churches, cemeteries, historic structures and sites, archeologically significant sites, and sites have exceptional aesthetic quality; the approximate number of residences and business establishments within one mile of the proposed facility including the distances and directions to the nearest residences and businesses; and a description and discussion of all known wells within 500 feet of the proposed facility to assist the Executive Director in determining potential adverse impact.⁹⁴ The Applicant has provided the required information and, based on that information, the Executive Director has determined that the draft permit is protective of human health and safety, and the environment, in the surrounding community.

COMMENT 40: (Closure)

Those people identified in Group 1 and Mary Carter (CAML) commented that the Applicant underestimated the cost of closure and post-closure care. Trudilee O'Neil and Karen Welch asked who would be responsible for environmental problems associated

⁹³ 30 Tex. Admin. Code § 330.53(b)(8)(repealed 2006)(current version at 30 Tex. Admin. Code § 330.61(h)(West 2008)).

⁹⁴ Id.

with the landfill. Mike Walton asked who would be liable if the liner was not adequate, and the groundwater becomes contaminated. R. M. Palmer (International Paper, Realty Division) was concerned because the Applicant was organized as a limited partnership, and might not have enough assets available for site clean up. Mr. Palmer commented that the Applicant should be required to have a bond for the life of the facility to ensure that funds were available if a cleanup was required. Linda Stegenga and David Tate (CAML) commented that the Applicant had not addressed all the closure and post-closure costs for the permit.

RESPONSE 40:

The owner or operator is responsible for the operation and maintenance of the landfill. If a release of leachate is detected in the groundwater, the permittee will be required to take corrective action.⁹⁵ Failure to properly address this issue would be a violation of TCEQ rules, and could result in an enforcement action. MSW rules do not require an applicant to have a bond to address potential environmental cleanups. However, an applicant for a new facility is required to provide, sixty days before the facility receives waste, evidence of financial assurance that covers closure and post-closure costs.⁹⁶ The financial assurance requirement is based upon a cost estimate showing the cost of hiring a third party to close the largest area of all landfill units ever requiring final cover.⁹⁷ Cost estimates are updated annually for inflation.⁹⁸ Currently, the Applicant estimates \$5,848,534 for closure and \$583,879 for post-closure care. The Executive Director has determined that the Applicant has complied with TCEQ's financial assurance requirements.

COMMENT 41: (Competency)

David Stegenga commented that the Applicant was not competent to operate the facility because the Applicant had not operated or owned a facility within the past 10 years. David and Rhonda Tate asked for an investigation into the personal and financial competence of the Applicant.

RESPONSE 41:

TCEQ rules require applicants for MSW permits to submit the following information regarding competency: 1.) a list of all Texas solid waste sites that the owner or operator has operated in the last ten years; 2.) a list of all solid waste sites in all states, territories, or countries in which the owner or operator has a direct financial interest; 3.) assurance that a licensed solid waste facility supervisor will be employed before commencing facility operation; 4.) the names of the principals and supervisors of the

⁹⁵ 30 Tex. Admin. Code §§ 330.236-330.238 (repealed 2006)(current version at 30 Tex. Admin. Code §§ 330.411-330.415 (West 2008)).

⁹⁶ 30 Tex. Admin. Code § 330.52(b)(11) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.63(j) (West 2008)); 30 Tex. Admin. Code Chapter 37 (West 2008).

⁹⁷ 30 Tex. Admin. Code § 330.281 (repealed 2006)(current version at 30 Tex. Admin. Code § 330.503 (West 2008)).

⁹⁸ 30 Tex. Admin. Code § 37.131 (West 2008).

owner's or operator's organization, along with their previous affiliations with other organizations engaged in solid waste activities; and 5.) any landfilling, earthmoving, and other pertinent experience or licenses possessed by key personnel, and the number and size of each type of equipment to be dedicated to facility operation.⁹⁹ The application indicates that Montgomery Landfill Solutions has not owned or operated any MSW sites in Texas within the last ten years, and does not have a direct financial interest in any other MSW management sites. TCEQ rules do not require an applicant to have previously owned or operated an MSW facility.

COMMENT 42: (Business Organization & Antitrust Laws)

David Stegenga, David Tate (CAML), and David and Rhonda Tate commented that the Applicant was not in good standing with the Texas Secretary of State. Mel Fife and David Tate (CAML) commented that the Applicant was known to sell permits to Browning-Ferris Industries, Inc. (BFI), after issuance, and that BFI may have violated antitrust laws.

RESPONSE 42:

TCEQ rules require a permit applicant to verify its legal status.¹⁰⁰ Normally, this is done by submitting a one-page certificate of incorporation issued by the Texas Secretary of State.¹⁰¹ As part of its application, the Applicant submitted its Certificate of Filing with the Secretary of state; which identified the Applicant as a limited partnership. The status of "good standing" is not applicable to limited partnerships.

The Executive Director has no information that indicates that, should the permit be issued, the Applicant intends to sell the permit. However, TCEQ rules do not prohibit such transactions provided that they are properly documented through a permit modification.¹⁰² The permit holder is required to give public notice of such modifications.¹⁰³ Any approval of such a modification is subject to a motion to overturn the Executive Director's action.¹⁰⁴

COMMENT 43: (Other Business & Research Concerns)

Steven Matthews commented that Waste Management had a reputation for developing landfills without thorough environmental, ecological, and residential research. Linda Standley commented that she thought that the Applicant should be investigated. She also asked if Metroplex was a turnkey contractor, and commented that Metroplex

⁹⁹ 30 Tex. Admin. Code § 330.52(b)(9) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.59(f) (West 2008)).

¹⁰⁰ 30 Tex. Admin. Code § 281.5 (West 2008); 30 Tex. Admin. Code § 330.52(b)(8) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.59(e) (West 2008)).

¹⁰¹ 30 Tex. Admin. Code § 330.52(b)(8) (repealed 2006)(current version at 30 Tex. Admin. Code § 330.59(e) (West 2008)).

¹⁰² 30 Tex. Admin. Code § 305.70(k)(13) (West 2008).

¹⁰³ *Id.*

¹⁰⁴ 30 Tex. Admin. Code § 305.70(m) (West 2008).

conducted a very negligent and irresponsible study. Jacqueline Woychesin questioned the engineers' credibility. Those people identified in Group 11 commented that this landfill was a form of environmental terrorism and corporate intimidation.

RESPONSE 43:

With the exception of compliance history reviews, TCEQ rules do not require investigations of MSW permit applicants. Metroplex Industries, Inc. is an engineering and consulting firm, and would not be considered a turnkey contractor. The commenter did not reference any specific study conducted by Metroplex; however, each required study was reviewed by the Executive Director, and determined to be in compliance with applicable regulations.

COMMENT 44: (SOAH ALJ Decisions & Rubber Stamping)

Mike Ward commented that when the State Office of Administrative Hearings (SOAH) Administrative Law Judges (ALJs) made a decision, the TCEQ overruled them seventy percent of the time. Mr. Ward also commented that he believed that the TCEQ was rubber stamping permits. Jennifer Real commented that the TCEQ's use of forms and checklists evidenced its policy of rubber stamping permit applications.

RESPONSE 44:

At the conclusion of a contested case hearing, the SOAH ALJ will issue a Proposal for Decision (PFD) that includes findings of facts and conclusions of law.¹⁰⁵ The SOAH ALJ will present their PFD to the Commission, who will act on it.¹⁰⁶ The Commission may overturn an underlying finding of fact that serves as the basis for a decision in a contested case only if the Commission finds that the finding was not supported by the great weight of the evidence.¹⁰⁷ The Commission may overturn a conclusion of law in a contested case only on the grounds that the conclusion was clearly erroneous in light of precedent and applicable rules.¹⁰⁸ The TCEQ is unaware of any documentation indicating the SOAH recommendations are rejected by the Commission seventy percent of the time.

MSW permit applications are reviewed on a case-by-case basis. The Executive Director's staff subjects each application to an individual administrative and technical review. MSW permit applications are then further scrutinized through the public participation process. The TCEQ has developed a checklist to assist in the technical review of applications in order to facilitate a through review based on hundreds of rule requirements and provide consistency from one application review to the next. The checklist does not replace the technical review of the permit application by TCEQ staff.

¹⁰⁵ Tex. Health & Safety Code § 361.0832(a) (West 2008).

¹⁰⁶ *Id.*

¹⁰⁷ Tex. Health & Safety Code § 361.0832(c) (West 2008).

¹⁰⁸ Tex. Health & Safety Code § 361.0832(d) (West 2008).

COMMENT 45: (Affected Party Status)

Jennifer Real asked why affected party status was so limited.

RESPONSE 45:

Pursuant to 30 TAC § 55.203, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.¹⁰⁹ Any person may seek to participate in a contested case hearing by timely demonstrating their particular justicible interest.

CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT

Due to public comments regarding all-weather access and the effect that the proposed access road would have on the floodplain, MSW staff included the following Special Provision in the draft permit:

“The applicant shall document coordination with the Montgomery County Engineer’s Office regarding bridge design and all weather access of the private entrance road from SH 105 to the facility as detailed in the application.”

Respectfully submitted,
Texas Commission on Environmental
Quality

Mark R. Vickery, P.G.
Executive Director

Robert Martinez, Director
Environmental Law Division

By 

John Williams, Staff Attorney
Environmental Law Division
State Bar No. 24004991
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
(512) 239-0455

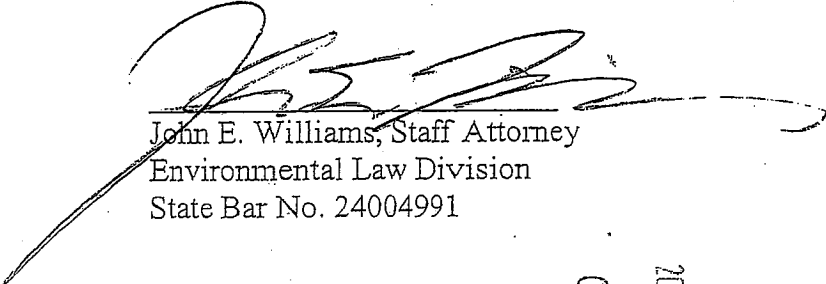
¹⁰⁹ 30 Tex. Admin. Code § 55.203(a) (West 2008).

By Tim Reidy
Timothy J. Reidy, Staff Attorney
Environmental Law Division
State Bar No. 24058069
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(512) 239-0969

REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS
COMMISSION ON ENVIRONMENTAL
QUALITY

CERTIFICATE OF SERVICE

I certify that on February 13, 2009 the "Executive Director's First Amended Response to Public Comment" for Permit No. 2324 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk.


John E. Williams, Staff Attorney
Environmental Law Division
State Bar No. 24004991

CHIEF CLERK'S OFFICE

2009 FEB 13 PM 3:52

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Attachment C – Compliance History

Compliance History Report

Customer/Respondent/Owner-Operator:	CN602494320 Montgomery Landfill Solutions, L.P.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN104006879 MONTGOMERY LANDFILL SOLUTIONS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	MUNICIPAL SOLID WASTE DISPOSAL PERMIT		2324
Location:	3761 N WALKER RD, CLEVELAND, TX, 77328		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	June 04, 2009		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	June 04, 2009 to March 17, 1999		

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: T Reidy Phone: 239 - 1000

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

N/A

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

Early compliance.

N/A

Sites Outside of Texas

N/A

**Attachment D – GIS Map &
Landowners List**

Requestors within 3 Miles of Montgomery Landfill Boundry:

ID	NAME
0	DANIEL P VARGAS
1	GABRIELA GONZALEZ
2	FRANCISCO MOCTEZUMA
3	GERALDO RAMIREZ
4	JUDY DEHART
5	KENNET H KWIATKOWSKI
6	MARIA FIGUEROA
7	RACHEL BRATCHER
8	AGUSTIN CHACON
9	GISSEL LAGUNAS
10	MARIA MIRAMONTEZ
11	ELVIRA RODRIGUEZ
12	MARIAD ROBLEDO
13	BONIFACIO GONZALEZ
14	JACKALYNE GONZALEZ
15	JESSICA GONZALEZ
16	JUANA GONZALEZ
17	JUDITH GONZALEZ
18	DIANA SALINAS
19	DEAN DUSKIN
20	CARLA WOODWARD
21	LUCILA VILLARREAL
22	NORA RENTERIA
23	GABRIELA GONZALEZ
24	DONALD LINDEMOOD
25	ELIZABETH and FERNANDO ROSALES
26	DANIEL and MARY ROSALES
27	GLADYS PEREZ
28	JOHNNIE LUKASHEAY
29	BARNEY PIERCE
30	MARCELINO and SANDRA MORENO
31	PEDRO ROSALES
32	MARIA SALAZAR
33	PEDRO and REFUGIA ROSALES
34	REFUGIA ROSALES
35	DANIEL and MARY ROSALES
36	TED CANTU
37	MELINDA VEGA
38	EVER HINOJOSA
39	KATHY HERNANDEZ
40	MARIA SANTOYO
41	RITO SANTOYO
42	SUSANA MAGANA
43	PATTY ZARATE
44	FRANSISCO RAMIREZ
45	KAREN WOOD
46	BETTY and FRED GREGG
47	BETTY GREGG
48	LOUIZA F BUSTAMANTE
49	RUFINA GARAY
50	JOSE LOPEZ
51	JOSE MEJIA
52	ELVIO ARRIETA
53	LANO GAYO

54 ALICIA BORUNDA
55 VICTOR BORUNDA
56 JEFFERY MCCAFFREY
57 MELISSA MCCAFFREY
58 RONALD MCCAFFREY
59 CHARLE S REED
60 KELLY REED
61 FRANK FANNING
62 SHARON LABIAN
63 HECTOR and VICTORIA ROSAS
64 ENEDINA ALVAREZ
65 CHRISTIAN RAMIREZ
66 FRANCISCO RAMIREZ
67 ISABEL RAMIREZ
68 KAREN RAMIREZ
69 OSCAR RAMIREZ
70 BUDDY JOHNSON
71 AMARIAN CASTILLO
72 AARON FLORES
73 CLAUDIA FLORES
74 JANET FLORES
75 EDGAR FOLNEY
76 ELVIRA CERVANTEZ
77 FRANCISCO CERVANTEZ
78 YOLANDA CERVANTEZ
79 MARIETTA FLANAGAN
80 BILLY ROGACKI
81 ELIZABETH A HERBSTTRITT
82 EUGENE H ROGACKI
83 FRANCES H ROGACKI
84 MARILEE DECKER
85 CLARA RIGGINS
86 LARRY RIGGINS
87 ED KIRKLAND
88 LINDA OTT
89 DONNA ISBELL
90 JUAN AGUILAR
91 LETICIA AGUILAR
92 MAXEY THARP
93 DEBBIE BAILEY
94 TIFFANY NEAL
95 WILLIAM WINRIGHT CRIBBS
96 SHERRY SMALLING
97 RANDY WHEELER
98 BONNIE FOSTER
99 LEWIS FOSTER
100 HELEN BLACKMAN
101 JERRY BLACKMAN
102 JAMES SINGLETON
103 JOSEPH TANSEU
104 STEPHANIE FORD
105 GREGORIA RAMIREZ
106 RAQUEL RAMIREZ
107 TOMAS RAMIREZ
108 MARK LICHMAN
109 PRISILA TREVINO
110 JASON SEBREE

111 LACEY WILLIAMS
112 RACHEL CALLAWAY
113 ROBERT O SEBREE
114 STEPHEN MORRIS
115 STEPHEN NORRIS
116 RUSSEL SCHOONOVER
117 RACHEL AMACLOE
118 RACHEL GIBLIN
119 PAT BROOKSHIRE
120 RALPH DRINKWATER FLOYD
121 BRYAN HAYES
122 ERIC SALUS
123 BILLY COLLIER
124 HERSCHEL R WILSON
125 ROSA MORELOS
126 MILTON MUELLE R
127 HARRY HARRIS
128 DANA GARZA
129 REESE GARZA
130 MARIA VASQUEZ
131 VANDA FORD
132 JIMMY WEEKS
133 BRENDA S JORGENSEN
134 KIMBERLY WATKINS
135 CAROL HENNESSY
136 LETTY BIENIEK
137 MIKE BIENIEK
138 JOE LEGGETT
139 ALBERTO ENRIQUEZ
140 ANNELIESE ENRIQUEZ
141 SHERMAN J CHENIER SR
142 CRUZ DELEON
143 JESUS JACOBO
144 BARRY BRANNON
145 DEBORAH BRANNO N
146 SHERRY BRANNON
147 SHERRY SMALLING
148 DAVID and SHARI BRACEWELL
149 CLIFFOR D WELCH
150 PETE STONE
151 DON MCCASLI N
152 MAGGIE MCCASLI N
153 MEGHAN MCCASLI N
154 TRICIA MCCASLI N
155 KENNET H THOMPSON
156 JIMMIE C WELCH
157 S W RUTHERFORD
158 JAMES SINGLETON
159 JAMES R WATKINS
160 JANICE WATKINS
161 JASON TURNER
162 SANDY TURNER
163 CIARA SMALLING
164 JASON TURNER
165 SANDRA TURNER
166 JAMES WATKINS JR
167 STANLEY JOHNSON

168 TERRY E ROLLINS
169 CATHERINE and ROBERT HELTON
170 ROBERT K SCHRUPP
171 RUTH A SCHRUPP
172 SCOTT YURA
173 BEVERLY HAMMETT
174 JERRY HAMMETT
175 FERNANDO ROSALES
176 CINDY and TERRY MOON
177 PEARL MCDONALD
178 WILLIAM E BOLES
179 TOM BRENNAN
180 STANLEY LAMBERY
181 JOSHUA DAVIS
182 SERCY YAWN
183 LESLIE K NORMAN
184 HEATHER DODSON
185 KRYSTLE FUDGE
186 TANYA HILL
187 PENNY COOPER
188 LEWIS AKIN
189 LAURA JONES
190 CHRIS PERRY
191 SERCY YAWN
192 TERRY BLACKMAN
193 VIOLET BLACKMAN
194 RANDELL LEMAIRE
195 CONCERNED CITIZEN
196 HENRY KNIGHT
197 VICENTE V SIFUENTES
198 HEATHER BURRELL
199 RANDALL HYMAN
200 STEPHANIE HYMAN
201 DENNIS R CARTWRIGHT
202 ROSEMARY CARTWRIGHT
203 DORENE JONES
204 JOHN OVERALL
205 ROBERT L STEVENSON
206 JESSIE M COOPER
207 ROSS I JONES
208 ROGER ADAMS
209 DANNETTA WEST
210 DONNIE and REBECCA SUTTON
211 WAYNE KOCUREK
212 TRUDILE E ONEIL
213 SHELAG H KASINGER
214 JENNALE E KOCUREK
215 PHILLIP LINDSEY
216 MARIGRACE ONEAL
217 MARIGRACE ONEIL
218 LINK RENEAU
219 JACOB W KOCUREK
220 JOSEPH KOCUREK
221 JAMES SHROPSHIRE
222 LARRY KENNEDY
223 CONNIE STIPANIC
224 CYNTHIA ENLOE

225 MARY PHILLIPS
226 LAURIE KIRKLAND
227 STEPHEN R DAUGHDRILL
228 KATHLEEN HARRISON
229 DEBORAH G and GEORGE D NOBLE
230 DEBORAH NOBLE
231 BARBARA HALES
232 DONALD J HALES
233 JAMES HALES
234 MARTHA BARR
235 STEPHEN BARFIELD
236 KAREN BARFIELD
237 KENNITH BISHOFF
238 LEAANN BISHOFF
239 DALLAS HIETT
240 STEVE O WILKINSON
241 HEATHER ADAMS
242 BETTY BLACKMAN
243 W L BLACKMAN
244 LACEY WILLIAMS
245 TIFFANEY HUGHBANKS
246 LORI ADAMS
247 HEATHER ADAMS
248 WOODROW JACK TURNER
249 LORRIE MINIX
250 ED ARNOLD
251 TARA ARNOLD
252 SHARENE and WESCARR
253 ELIZABETH BARBOSA
254 PAUL ZYLMAN
255 REBECCA ZYLMAN
256 BILLY PICKERING
257 DEBORRAH PICKERING
258 ROXANNE PICKERING
259 RICHARD ARNOLD
260 BARBARA MAYEUX
261 TRAVIS MAYEUX
262 KITTY BULLOCK
263 FLOYD COLLINS
264 JULIE CULVER
265 DEVAN KENDRICK
266 SHARON KENDRICK
267 VINCENT SCOTT KENDRICK
268 HAILEY THOMAS
269 JOYCE TAYLOR
270 LOUISE KELLY
271 JOHN L WELCH
272 ALBERT NELSON
273 ALBERT and SHELIA NELSON
274 SHELIA NELSON
275 DALE and KAREN WELCH
276 DALE WELCH
277 KAREN J WELCH
278 MALIA KING
279 ALAN SCHULER
280 TINA COLLINS
281 CHARLES W LYLE

282 PATRICIA REAM
283 ROBERT REAM
284 FLOYD C COLLINS
285 FLOYD and LINDA COLLINS
286 LINDA K COLLINS
287 ROBERT MILLER
288 MELINDA HALL
289 ROBERT B MARTIN
290 BOBBIE IRWIN
291 RUTHA MISSY ALLEN
292 CRISANDRA and KESHIA ALLEN
293 JUDITH OTOOLE
294 HERB E SOMPLASKY
295 NIKKI SOMPLASKY
296 RICHARD B SMITH
297 PAUL SIMMONS
298 STEPHANIE SIMMONS
299 DAVID Y RENDON
300 DAVID RENDON
301 BOBBIE R GROENHOF
302 R P GROENHOF
303 JAN and RONALD STALLWORTH
304 BETH BRECHEEN
305 RICKY BRECHEEN
306 CHARLIE JOHNSON
307 SHAWNA EVERETT
308 DEBORAH BELL
309 DOROTHY BELL
310 AMY ASHBY
311 KEVIN ASHBY
312 JUSTIN WOOD
313 LEONARD MCDONALD
314 SANDRA J MCDONALD
315 LEANELA TORRES
316 CHARLOTTE WILLIAMS
317 JAMES S WILLIAMS
318 JAMES WILLIAMS
319 CHARLOTTE A and JAMES L WILLIAMS
320 RODNEY ATKINSON
321 RHONDA NASH
322 ADELLE PARSHALL
323 LEDA ONEIL
324 JERRY and MARIA GONZALES
325 BILLY THOMPSON
326 SHERI THOMPSON
327 EMILEE N ATKINSON
328 RICHAR D ATKINSON
329 BONNIE BRASWELL
330 WILLIE MAE ADSKINSON
331 ERNIE HALES
332 NOVEL and VIRGINIA SNIDER
333 VIRGINIA SNIDER
334 RAYMOND ATKINSON
335 VALERIE ATKINSON
336 KERRI SAMPLE
337 MICHAEL E SAMPLE
338 CLYDE WAYNE and MS JUDY HALES

339 LEROY DUDLEY
340 RHONDA JANOSEC
341 DONALD G WILLIAMS
342 SUE A WILLIAMS
343 KAREN BRADBERRY
344 KAREN and TIM BRADBERRY
345 SETH JONES
346 KEN and VIRGINIA BURLING
347 MATTHEW FOSTER
348 KEN BURLING
349 TANJI FOSTER
350 TARA FAY
351 CLORINDA and MR JAMES E HOGAN
352 CRYSTAL HOGAN CRAFT
353 MICHAEL CRAFT
354 JAMES HOGAN
355 DOROTHY FITCH
356 EDWARD FITCH
357 LARRY WAYNE COLLINS
358 ROBERT W COLLINS
359 DAVID A and ROBBIN RICKARD
360 M WATERS
361 BILLY WAGNON
362 ALISA MURPHY
363 SANDY RELANDER
364 JEREMY BEALL
365 DAROLD and JANIS VANDEWERKER
366 JANIS VANDEWERKER
367 KELLI and LEE MOULDER
368 JOHNNY BEALL
369 KAREN BEALL
370 LINK RENEAU
371 ASHLEA VYORAL
372 DOUG VYORAL
373 JEFF ALLMAN
374 ANN M CHEATHAM
375 ANGELA WELCH
376 MARY E LYNCH
377 ANGELA KYLE
378 DAVID LYNCH
379 DEAN VANDEWERKER
380 LUCIAN O RAMIREZ
381 JAMES E FRANCIS
382 GISA R GILES
383 BOBBY L WALTERS
384 DEBRA WALTERS
385 PATRICIA CROFTON
386 WALTER C BASTEDO
387 PHILLIP BRANCH
388 MELODY LOGAN
389 SANDY and STEVE HAMILTON
390 SANDY HAMILTON
391 STEVE HAMILTON
392 BRENDA F WRIGHT
393 CONCERNED CITIZEN
394 SHANE BAKER
395 DEBRA TEEKAMP

396 ELIZABETH and JEREMY WILKERSON
397 NORMAN L WILKERSON
398 ARGELIO and ESMERALDA DELEON
399 JESUS GARCIA
400 TOMMY MILLER JR
401 BARB and MR DICK VAN LIEW
402 JESSIE VAN LIEW
403 DICK VAN LIEW
404 NORMA GREGORY
405 OZZIE GREGORY
406 ANTHONY and WENDY RICHARDSON
407 WENDY RICHARDSON
408 JOANN and THOMAS WELCH
409 VALLYE W CHANDLER
410 STEVEN GOTHARD
411 THOMAS J BEERS
412 KENNY HAMBY
413 BOBBY G MORRIS
414 ELLA MAY MORRIS
415 MICHAEL MORRIS
416 PATRICIA GIDDINGS
417 JESSE L HOGAN
418 NICK STEELE
419 TIM MIZE
420 EDGAR EUGENE JACKSON
421 EUGENE and TINA JACKSON
422 GORDON MYERS
423 DENNISE E ONEIL
424 RAY OVERTON
425 JENNIFER R and WESLEY T ADKINS
426 DONALD and RODNEY BOWERS
427 JANICE MENDOZA
428 ELKE STEPHENS
429 JOHN D STEPHENS
430 DENNIS BROWN
431 ROGELIO BAROENUS
432 BYARD CRANDALL
433 LINDA KAY CRANDALL
434 CONNIE and FRANCISCO JIMENEZ
435 JAMES M CRANDLE
436 LAURIE HEADINGS
437 RONALD HEADINGS
438 LISA S BROWN
439 STEPHEN R BROWN
440 JOHN and VICKIE WERNER
441 DAVID and MARCIA WARNER
442 MARCIA WARNER
443 DAVID J DESCHNER
444 DEWANA HIGGINS
445 JAMIE HIGGINS
446 JOHN and VICKIE WARNER
447 DONALD MAPSTON
448 REBECCA M BOLES
449 CHARLES BISHOP
450 JACKIE BISHOP
451 HILARIA ORTEGA
452 RICHARD ORTEGA

453 SAMANTHA ORTEGA
454 BARBARA MCLEANE
455 ESMERALDA MCLEANE
456 MATT MCLEANE
457 NED MCLEANE
458 CHRIS HAESCHE
459 JUANITA GREGORY
460 MARK A GREGORY
461 CHARLES E RICHMOND
462 DIANA RICHMOND
463 STEVEN GEISMAN
464 MARIA RONBERG
465 ALAN FORTENBERRY
466 LEANNA EVANS
467 BOBBY NOVAKOSKY
468 DOUG MAPSTON
469 ROY W ABRAMSON
470 CHARLIE MUSGROVE
471 SYLVIA PADILLA
472 DELORES ROOST
473 TRACIE THOMAS
474 ELVIS and PAT D AGRELLA
475 BOBBY and KAYLA RENEE FINLEY
476 TOMMY LITTLEFORD
477 LEE LIBRADO and TINA LEAL
478 MARK GRIMES
479 MELANIE HERNANDEZ
480 CAROLYN SUE and LAWRENCE A RAINS
481 L A RAINS
482 LARRY RAINS
483 MARGARET C WAGNER
484 MARGARET C WAGNER
485 JAMES E WALKINSHAW JR
486 FRANCES SHEPPARD
487 RICKIE CHILDERS
488 MITCHEL L BRUCE
489 STEFANIE MILLER
490 DUANE E HAMILTON
491 TRACY HAMILTON
492 PHILLIP JOHNSON
493 GEORGE STANDLEY
494 LINDA and RICKY STANDLEY
495 LINDA STANDLEY
496 RICKY STANDLEY
497 KENITA FENDLEY
498 RICHARD W FENDLEY
499 GWYNETH and THOMAS POOLE
500 THOMAS G POOLE
501 CHERYL J BURKS
502 GEORGE D BURKS
503 JOSEPHINE BELL
504 PATTY B and RICHARD E MULLINAX
505 RICHARD E MULLINAX
506 LUIS F AZUARA
507 RAY HERRIN
508 DAVID LYNN DAUZART
509 TERRY DAUZART

510 JAREN and LOGAN N SMITH
511 JOHN B SMITH
512 JOHN and LEAH SMITH
513 LEAH D SMITH
514 LOGANN SMITH
515 VICKI THOMPSON
516 MARGIE WOOD
517 DAVID NEAL
518 DEBORA H NEAL
519 MELANIE ANTILLER
520 DEBBIE ORSACK
521 MARVIN ORSACK
522 DOUGLAS COCKERHAM
523 GARY CHUNN
524 PENNY CHUNN
525 DANIEL HEIL
526 JERRI HEIL
527 ALLEN SELPH
528 ALLEN and JOYCE SELPH
529 JOYCE SELPH
530 TRAVIS SELPH
531 R T SELPH
532 JENISE and PHILLIP CEMINO
533 PHILLIP CEMINO
534 STEPHANIE CEMINO
535 VIVIAN SOMERS
536 LEWIS AKIN
537 DENNIS M OMALLEY
538 DAVID L STEGENGA
539 LINDA K STEGENGA
540 JASON REAVES
541 AARON TURNER
542 W J TURNER
543 HOWARD LAUNIUS
544 TARA OLEPHANT
545 GORDON and JERRI SEALY
546 JERRI SEALY
547 JASON BELLINI
548 KIM BELLINI
549 CHARLES E BUZBEE
550 MARIE BUZBEE
551 BARBARA MECHE
552 LADGIE ZOTYKA JR
553 VICKIE MORSE
554 JERRI BROWN
555 PAM BROWN
556 RICK BROWN
557 TIMOTHY HUSTON
558 DANIELLE and PAUL D REICH
559 VINSON SEALY
560 ELIZABETH DOTSON
561 ERIN DOTSON
562 LOU DOTSON
563 JAMES LAMENDOLA
564 SUSAN M LAMENDOLA
565 EVELYN A COLLINS
566 JOSEPH HEMBY

567 JACKIE WOYCHESIN
568 JACQUELINE WOYCHESIN
569 RICKY WOYCHESIN
570 JACKIE L SMITH
571 CASSIE and JAMES SMITH
572 CASSANDRA SMITH
573 JASON TURNER
574 CYNTHIA CHENAULT
575 FRANK LEE
576 SEFRONI A PITTMAN
577 KIMBERLY WILKINSON
578 RANDY WILKINSON
579 DEBORAH K DORAN
580 BRANDI LYONS
581 CARL MCLEOD
582 JOHN R HUTCHINSON
583 JOHN M and SUE ELLEN CLEMENT
584 NANCY STEWAR D
585 THOMAS E STEWAR D
586 KENNY HAMBY
587 KIMMY ABRAMSON
588 ANTHONY KEENER
589 DARLA KEENER
590 DONALD KEENER
591 DUSTIN KEENER
592 PATTY KELTSCH
593 MART and PATTY L KELTSCH
594 MARY EDWARDS
595 CATHRIN M PLASTER
596 HOMER R PLASTER
597 AGNES and EDDIE E ROGERS
598 ELAINE SWAIM
599 ANN BLACKMER
600 ROBERT S BLACKMER
601 MARTHA GUILBEAUX
602 RONNIE GUILBEAUX
603 DAVID W SARGENT JR
604 LEAMON V DOWDEN
605 BARBARA and DAVID DOWDEN
606 ROBERT VINEYARD
607 JULIANNE YOUNG
608 SUZANNE HANSEN
609 TOMMY JENSEN
610 MARY and ROBERT HUTSEAL
611 GLORIA JENSEN
612 TAMMY MOORE
613 ELLEN NELSON
614 SHARON P NELSON
615 RANDALL GROSS
616 RANDY and SHERYL GROSS
617 APRIL MCHENRY
618 MARY OMALLEY
619 MATT OMALLEY
620 BETTY S and WILLIAM GRANTHAM
621 MARK MATHENY
622 JENISE and PHILLIP CEMINO
623 MELVIN SHARPE

624 BOBBY and FAITH ROGERS
625 BELINDA and C ANDREW MARTIN
626 JOE JOHNSTON
627 DARREL L JOHNSON
628 KENNETH R MEUTH
629 CLAUDEAN COOK
630 JAMES P BYRD
631 MARK and MONICA DIRENNA
632 DIANNIA CARTER
633 WILLIAM CARTER
634 BRIGHT LEMASTER
635 LELIA BRIGHT and MICHAEL J LEMASTER
636 MICHAEL J LEMASTER
637 NICOLE BLAKE
638 BARBARA J GANDY
639 ROBERT J GANDY
640 GORDON TROTT
641 KIMBERLY TROTT
642 MARGARET BLACKBURN
643 HW TAYLOR
644 JAMES A and LORI MATTOX
645 LINDA and ROBERT PHILLIPS
646 NONNIE MAFFET
647 RON MAFFET
648 JEFF L MCKINNEY
649 COURTENEY BRENNAN
650 LORENA JUNGST
651 CASEY A NEELY
652 JANICE FERRER
653 PAT FERRER
654 WILLIAM P FERRER
655 PATRICK MCGINTY
656 ANDY MENDIOLA
657 BRENDA MENDIOLA
658 ANDRES MENDIOLA
659 GRACE MENDIOLA
660 JENNIFE R MENDIOLA
661 HARLAN SCHUETTPELZ
662 BRAD SHRIEVE
663 MICHELE SHRIEVE
664 SUE GRIFFIN
665 B K MORGAN
666 LINDA MORGAN
667 PATTIE LITTLE
668 JOE WILLIAMS
669 STAN TULLY
670 PAT and PAUL CLARK
671 PATRICIA and PAUL CLARK
672 STEVEN MATTHEWS
673 ERNEST and MARIE BROWN
674 ANNETTE WHITE
675 PAM VERCHER
676 TOMMY J VERCHER
677 ZACHARY VERCHER
678 WAYNE BOCHIRN
679 MAGNOLIA C and WAYNE BOEHM
680 MAGNOLIA C BOEHM

681 AIDA MEDINILLA
682 JAMES F HALL
683 JAMES E CLANTON
684 CHARLES BREWER
685 AMY MCMULLEN
686 CORALLYN BERGER
687 KEITH BERGER
688 BEVERLEY HINDS
689 RUSSELL HINDS
690 SUSAN PINE
691 KAREN EUDY
692 PHIL EUDY
693 MARILYN KINNEY
694 MATTIE L LAMBERT
695 NEVA STEM
696 ROBERT SMITH
697 DAVID TATE
698 RHONDA S TATE
699 LISA MCCLOY
700 JOHN D and RHONDA S TATE
701 JAMES A HERRING
702 RHONDA BROWN
703 RON BROWN
704 CLAUDIA HUBBARD
705 CHRISPEN JOHNSON
706 PAULINE MOORE
707 ANDREW MULLOCK
708 MELINDA MULLOCK
709 BILLY LUKASHEAY JR
710 MELISSA LUKASHEAY
711 JAMES CLARK
712 MARGARET HALL
713 SAM HICKMON
714 SUSAN HICKMON
715 ALLEN JONES
716 JOHN E JONES
717 VIRGINIA JONES
718 JOSE QUADALUPE MARQUEZ
719 ADRIADNA NATALIA TEAPILA
720 ROGER DELONG
721 KAREN FAULK
722 CHRISTINE JONES
723 K R EVERITT
724 KENNETH and MARY EVERITT
725 JANET ANDERSON
726 MORRIS MILLER
727 SIBYL SPENCE
728 CHRISPEN L JOHNSON
729 MARGARET FULLER
730 DONNA WEAVER
731 RANDALL WEAVER
732 CODY WEAVER
733 JOHNNY R MCDANIEL
734 PAT LUKASHEAY
735 DWAYNE and PAMELA HOOD
736 HAYDEN HOOD
737 MELBA YORK

738 THOMAS YORK
739 BOBBY J HAM
740 JEREMY HAM
741 REBECCA L HAM
742 SHARON E HAM
743 ROBERT HAM
744 JESSICA JOHNNY and JOHNNY E WILKERSON
745 DARRYL BARNHILL
746 LINDA BARNHILL
747 JOLENE JOHNSON
748 BECKIE WARREN
749 PAULA WARREN
750 JAMES J FRANK
751 SUE WAYFORD
752 VIVIAN R HICKMAN
753 DON and DORIS MYERS
754 DONALD G MYERS
755 LINDA S. BONE
756 RANDY L BONE
757 J R DELEON
758 MARDE DELEON
759 SONJA HENRY
760 DANNY and DONNA WARNER
761 MIKE MCCLINTOCK
762 JUDI SELF
763 JERRIE SMITH I

Montgomery Landfill Solutions, L.P. Proposed TCEQ Permit No. 2324



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

May 26, 2009

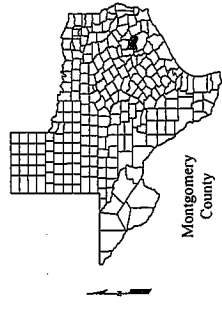


Projection: Universal Transverse Mercator,
Zone 15, NAD 83
Scale 1:65,000

Legend

- Hearing Requestors:

Source: The following Digital Orthophoto Quarter
Quadrangles (DOQQs) provided the base for this
map: Cut and Shoot (NW, SW, NE, SE); Conroe NE
(SW, SE); Bear Creek (SW); Fostoria (NW, SW);
These 2.5 meter DOQQs were obtained from the
U.S. Geological Survey, EROS Data Center, Sioux
Falls, SD. The source photos were taken in 2004.
The horizontal positional coordinates for the point
locations identified on the map were obtained by
a georeferencing process based on the US Census
Bureau, TIGER/line data with GDT enhanced
georeferencing.



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