

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

EXECUTIVE SUMMARY

October 6, 2006

CHIEF CLERKS OFFICE

2007 JUL -3 AM 10:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

DESCRIPTION OF APPLICATION

Applicant: Blue Ridge Landfill TX, LP
MSW Permit Application No. 1505A

Type: Type I Municipal Solid Waste Landfill Facility

Request: To issue a municipal solid waste permit, No. 1505A, for an amended municipal solid waste Type I landfill facility, and to operate this facility in accordance with the application.

Authority: Texas Commission on Environmental Quality rules, 30 TAC Chapter 330.

STAFF RECOMMENDATION

Issue permit as requested.

TECHNICAL INFORMATION

General: The Blue Ridge Landfill is located in Fort Bend County, Texas, north of Fresno, Texas and approximately ½ mile south-southwest of the intersection of FM 2234 and FM 521. There are no schools, licensed day-care facilities, or cemeteries located within one mile of the facility. There is one church within one mile of the facility. The majority of the surrounding land is undeveloped (about 62%), current or future residential (about 32%), or industrial (about 4%). The waste acceptance rate into the landfill will be an anticipated initial rate of approximately 3,000 tons per day (tpd) and an expected maximum rate of 9,643 tpd of household solid waste, commercial solid waste, rubbish, yard waste, construction/demolition wastes, Class 1, Class 2 and Class 3 nonhazardous industrial waste, and special wastes. The permit application meets the requirements of the Commission's rules and provides the proper safeguards to protect the public health and safety, and the environment.

Conditions: Conditions of the permit are set forth in the final permit. Detailed information about the facility and its operation are contained in the Technical Summary.

COMPLIANCE HISTORY

See attached.

CONTACT Steve Odil at (512) 239-4568
MSW Permits Section

APPLICATION FOR A PERMIT OR REGISTRATION TO OPERATE A MUNICIPAL SOLID WASTE FACILITY PART A APPLICATION FORM

PERMIT/REGISTRATION APPLICATION NO. MSW 1505A (for TCEQ use).

Applicant Information

Applicant Name:	Blue Ridge Landfill TX, LP
Customer Reference Number - if known* (9 digits)	CN 602820599

* If you do not have this number, complete the customer information section of the Core Data Form (TCEQ-10400) and submit it with this application.

Facility Information

Facility Name:	Blue Ridge Landfill
Regulated Entity Reference Number - if known* (9 digits)	RN 102610102

* If you do not have this number, complete the regulated entity information section of the Core Data Form (TCEQ-10400) and submit it with this application.

Applicant's Agent Information

Authorized Agent's Name	Christopher Synek			
Authorized Agent's Title	(Authorized Representative of Blue Ridge Landfill TX, LP) Southwest Regional Vice President			
Street or P.O. Box	2200 FM 521			
(City)(County)(State)(Zip)	Fresno	Fort Bend	TX	77545
(Area Code)(Phone #)	281	835-6142		
(Area Code)(FAX #)	281	835-6146		

Section 361.0666, Health and Safety Code, as added by HB2912 (effective September 1, 2001) requires an applicant for a permit for a new facility which accepts municipal solid waste to hold a public meeting in the county in which the proposed facility is to be located before the 45th day after the date the application is filed. Section 361.0666 also requires the applicant to publish notice of this public meeting at least once each week for the three weeks preceding the meeting. An affidavit certifying that notice was published in accordance with Section 361.0666 must be provided to the Commission.

If you have any questions about this meeting requirement, please contact the MSW Permits Section at (512) 239-6781 or see our website at:

<http://www.tnrcc.state.tx.us/permitting/wasteperm/mswperm/notice.html>.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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Public Place Where Administratively Complete Permit Application Will Be Located

Identify the public place in the county (e.g., public library, county court house, city hall, etc.) including the address where the application will be made available for review and copying by the public. (Applicants for new permits and major amendments must make a copy of the administratively complete application available at a public place in the county where the facility is, or will be, located for review and copying by the public.)

Missouri City Branch Library
 1530 Texas Parkway
 Missouri City, Texas 77489

Application and Facility Type

Check Appropriate Boxes	Application Type (select one):	Registration
		Permit <input checked="" type="checkbox"/>
	New Facility:	
	Existing Facility Amendment (select one):	Registration Number: Permit Number: MSW-1505
Facility Type:		
Type I	<input checked="" type="checkbox"/>	Type VI
Type I-AE		Type VIII
Type IV		Type IX
Type IV-AE		
Type V (describe type of process):		

Geographic Coordinates of Permanent Site Benchmark:

Latitude	N 29° 33' 16.26"
Longitude	W 95° 26' 37.17"
Elevation (above msl)	63.83 ft-msl

Property Owners Information:

Name	Blue Ridge Landfill TX, LP
Customer Reference Number - If known (9 digits)	CN 602820599

* If you do not have this number, complete the customer information section of the Core Data Form (TCEQ-10400) and submit it with this application.

Deed Information: (owned by Blue Ridge Landfill TX, LP)

County	Fort Bend
Book	Clerk's File No.s: 2003142615, 2005144303, 2005144304, 2005144306, 2005144308, and 2006011865.
Volume	Not Applicable
Page	Not Applicable

Easement Holders of On-Site Easements are:

Name	Address	Contact Person	Area Code/ Telephone & FAX
San Jacinto Gas Transmission Company (formerly Texas Eastern Transmission Company)	12306 Ashford Valley Drive Sugar Land, TX 77478	Ginger D. Thornton	(281) 242-4730 (281) 242-4738 Fax
Houston Pipeline Company	1201 Louisiana, Suite 1200 Houston, TX 77002	Calvin Dodd	(832) 668-1000 (832) 668-1119 Fax
Kinder-Morgan, Inc. (formerly Pan American Gas Company)	One Allen Center 500 Dallas Street #1000 Houston, TX 77002	Marty Taylor	(713) 369-9000 (713) 369-9185 Fax
CenterPoint Energy (formerly Houston Natural Gas Corporation)	12045 S. Main St. Houston, TX 77035	John Slanina	(713) 945-4402 (713) 945-4449 Fax
CenterPoint Energy (formerly Houston Power & Light)	12045 S. Main St. Houston, TX 77035	John Slanina	(713) 945-4402 (713) 945-4449 Fax
Gulf Coast Water Authority (American Canal) (formerly Galveston County Water Authority)	1424 W. Highway 6 Alvin, TX 77511	Mack Chapman	(281) 331-3137 (281) 331-3228 Fax
Southwestern Bell Telephone	7602 Spring Cypress Rd. #226 Spring, TX 77379	Jerry Ray	(281) 379-7524 (281) 374-3318 Fax
The Belmas Company, Inc.	2200 FM 521 Fresno, TX 77545	Steve Hall	(281) 835-6142 (281) 835-6146 Fax

Local Government Jurisdiction

Within City Limits of: <u>None</u>	
Within Extraterritorial Jurisdiction of City of: <u>Houston</u>	
Is the proposed municipal or industrial solid waste disposal or processing facility located in an area in which the governing body of the municipality or county has prohibited the disposal or processing of municipal or industrial solid waste? (If YES, provide a copy of the ordinance or order).	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

Total Acreage of Permit Boundary, Waste Acceptance Rate, Site Life, and Population Served:

The total acreage of permit boundary is 1,344.88 acres. The facility will serve a population equivalent of 1,200,000 people, within a service area that includes the following cities and counties, Fort Bend, Brazoria, Galveston, and Harris Counties and surrounding areas. It is estimated that the site will receive an average of approximately 6,577 tons of municipal solid waste per day over the life of the site, and have an estimated life of 40.3 years.

List the nature, type and estimated quantity of waste. ⁽¹⁾

Municipal Solid Waste	2,850 tons/day (estimated average initial inflow) including household solid waste, commercial solid waste, and yard waste.
Class 1 Industrial	20 tons/day (estimated average initial inflow) any industrial solid waste designated as Class I by the executive director as any industrial solid waste or mixture of industrial solid wastes that because of its concentration or physical or chemical characteristics is toxic, corrosive, flammable, a strong sensitizer or irritant, a generator of sudden pressure by decomposition, heat, or other means, and may pose a substantial present or potential danger to human health or the environment when improperly processed, stored, transported, or otherwise managed, including materials such as asbestos, ash/slag thermal residue, contaminated soil (non-PCB), contaminated solids, inorganic sludges, inorganic solids, inorganic/organic liquids, organic sludges, organic solids, PCB-containing wastes, and petroleum-contaminated solids.
Class 2 Industrial	20 tons/day (estimated average initial inflow) any individual solid waste or combination of industrial solid wastes that cannot be described as Class I or Class III. Examples of Class II Industrial Waste include "plant trash" or waste originating in the facility offices or plant production areas that are composed of paper and/or wooden packaging materials, glass, aluminum foil, aluminum cans, aluminum scrap, stainless steel, steel, iron scrap, plastics, styrofoam, rope, twine, uncontaminated rubber, uncontaminated wooden materials, equipment belts, wiring, uncontaminated cloth, metal buildings, empty containers with a holding capacity of five gallons or less, uncontaminated floor sweepings, or food packaging, that are produced as a result of plant production.
Class 3 Industrial	20 tons/day (estimated average initial inflow) any inert and essentially insoluble industrial solid waste, including materials such as rock, brick, glass, dirt and certain plastics and rubber, etc., that are not readily decomposable.
Special Waste (specify)	90 tons/day (estimated average initial inflow) including solidified sludges, dead animals, empty containers, non-regulated asbestos-containing materials, and regulated asbestos-containing material.
Other Waste (specify)	Occasional: As allowed by regulation.
Excluded wastes (specify)	Liquid waste (liquid waste will not be disposed of in the landfill; however, liquid wastes will be accepted at the Liquid Waste Bulking Facility), regulated hazardous waste, prohibited PCBs, infectious medical waste, and other wastes prohibited by TCEQ regulations.

⁽¹⁾ Refer to Part III, Section 2.1.2 for additional information regarding the nature and type of waste

Traffic Impact:

The primary access route within one-mile of the site is FM 521, FM 2234 (also known as McHard Road or the Texas Parkway), and Trammel-Fresno Road. A traffic study is included in Parts I/II, Appendix I/II.D. The traffic study concludes that the area roadway system providing access to the Blue Ridge Landfill is excellent. Moreover, current and future planned improvements to these roadways will continue to provide excellent access because the planned expansion of capacity on area roads will be more than adequate to accommodate the forecasted waste haul trips to the landfill.

The site is located in Texas Department of Transportation District

TxDOT District Name & #	Houston District, #12			
District Engineer's Name	Gary K. Trietsch, P.E.			
Street or P.O. Box	P.O. Box 1386			
(City)(County) (State)(Zip)	Houston	Harris	TX	77251
(Area Code)(Phone #)	713	802-5000		
(Area Code)(FAX #)	713	802-5075		

The local governmental authority or agency responsible for road maintenance

Contact Person's Name	Marc Grant, Department Head, Fort Bend County Road and Bridge Department			
Street or P.O. Box	201 Payne Lane			
(City)(County) (State)(Zip)	Richmond	Fort Bend	TX	77469
(Area Code)(Phone #)	281	342-4513		
(Area Code)(FAX #)	281	238-3635		

Consulting Engineer

Responsible Engineer's Name	Jeffrey P. Young, P.E.			
Name of Engineering Firm	Weaver Boos Consultants, LLC-Southwest			
Street or P.O. Box	6420 Southwest Blvd, Suite 206			
(City)(County) (State)(Zip)	Fort Worth	Tarrant	TX	76109
(Area Code)(Phone #)	817	735-9770		
(Area Code)(FAX #)	817	735-9775		
E-mail Address (if available)	jyoung@weaverboos.com			

Provide the following information for the State Senators and Representatives who represent the area in which the Municipal solid waste facility is located.

State Representative

District Number	27			
State Representative's Name	Dora F. Olivo			
District Office Address	P.O. Box 2130			
(City)(County)(State)(Zip)	Missouri City	Fort Bend	TX	77459
(Area Code)(Phone #)	281	208-8806		
(Area Code)(FAX #)	281	208-8826		

State Senator

District Number	13			
State Senator's Name	Rodney Ellis			
District Office Address	440 Louisiana, Suite 575			
(City)(County)(State)(Zip)	Houston	Harris	TX	77002
(Area Code)(Phone #)	713	236-0306		
(Area Code)(FAX #)	713	236-0604		

Provide the following information for the appropriate regional Council of Governments (COG), River Basin Information, and U.S. Army Corps of Engineers District which represents the area that the Municipal Solid Waste facility is to be located.

Council of Government Information

COG Name	Houston-Galveston Area Council			
COG Representative's Name	Ms. Cheryl Mergo			
COG Representative's Title	Solid Waste Program Manager			
Street or P.O. Box	3555 Timmons, Suite 500			
(City)(County)(State)(Zip)	Houston	Harris	TX	77227
(Area Code)(Phone #)	713	627-3200		
(Area Code)(FAX #)	713	993-2414		

River Basin Information:

River Authority	Fort Bend County Drainage District			
Contact Person's Name	Mark Vogler			
Watershed-Sub-Basin Name	Clear Creek Watershed			
Street or P.O. Box	1009 Blume Road			
(City)(County)(State)(Zip)	Rosenberg	Fort Bend	TX	77471
(Area Code)(Phone #)	281	342-2863		
(Area Code)(FAX #)	281	342-9130		

This site is located in the following District of the U.S. Army Corps of Engineers

Albuquerque, NM	Ft. Worth, TX	<input checked="" type="checkbox"/> Galveston, TX	Tulsa, OK
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List all other permits or construction approvals, required, received or applied for to this or any government agency, whether local, state, or federal which pertain to this facility. Be specific, include permit numbers and other identifiers.

RQD = Required APP = Applied For REC = Received N/A = Not Applicable

N/A	Hazardous Waste Management program under the Texas Solid Waste Disposal Act
N/A	Underground Injection Control (UIC) program under the Texas Injection Well Act
REC ⁽⁴⁾ = TXR05S302	National Pollutant Discharge Elimination System (NPDES) program under the Federal Clean Water Act (CWA) and Waste Discharge program under the Texas Water Code, Chapter 26
N/A	Prevention of Significant Deterioration (PSD) Program under the Federal Clean Air Act
N/A ⁽¹⁾	Nonattainment Program under the Federal Clean Air Act
N/A	National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clear Air Act
N/A	Ocean dumping permits under the Marine Protection Research and Sanctuaries Act
REC ⁽³⁾	Dredge or fill permits under of the Federal Clean Water Act
REC ⁽⁴⁾	TPDES Stormwater Pollution Control, Section 2.6 of the Texas Water Code
REC ⁽³⁾	U. S. Army Corps of Engineers Dredge and Fill Permit §404
RQD ⁽²⁾	TCEQ Air Quality Permit or Registration
RQD ⁽²⁾	TCEQ General Operating Permit Authorization to operate Project Number 1472, Permit Number O-01472
N/A	Other environmental permits (provide list)

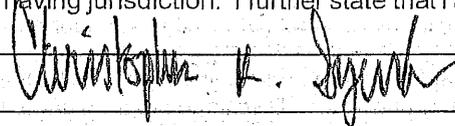
⁽¹⁾ The site is located in an ozone nonattainment area. However, the landfill is an existing minor source.

⁽²⁾ Currently the landfill and all landfill stationary sources are permitted by a Standard Air Permit (SAP) under 30 TAC 116.621. In addition, the landfill has a Title V General Operating Permit #O-01472. Both the SAP and the Title V Permit will be updated and revised, as needed, once this solid waste major permit amendment application has been approved.

⁽³⁾ Refer to Parts I/II – Section 11 for more information.

⁽⁴⁾ Refer to Appendix I/IIA for more information regarding the site's Multi-Sector Stormwater Permit (TCEQ Permit No. TXR05S302).

Applicant's Statement

<p>"I, <u>Christopher Synek</u> state that I have knowledge of the facts here in set forth and that these facts are true and correct, to the best of my knowledge and belief. Furthermore, I am familiar with all pertinent requirements contained in the Municipal Solid Waste Rules, and <u>Blue Ridge Landfill TX, LP</u> agrees to develop and operate the municipal solid waste facility in accordance with the plan, the rules and any permit provisions. I further state that, to the best of my knowledge and belief, the project for which the application is made will not violate any law, rule, ordinance, decree of any duly authorized governmental entity having jurisdiction. I further state that I am authorized to act for the applicant." [30 TAC 330.56(i)]</p>			
Signature of Applicant			
Type or Print Name and Title		Christopher Synek Authorized Representative of Blue Ridge Landfill TX, LP Southwest Regional Vice President	
Street or P.O. Box		2200 FM 521	
(City)	(County)	(State)	(Zip)
Fresno	Fort Bend	TX	77545
(Area Code)(Phone #)		281	835-6142
(Area Code)(FAX #)		281	835-6146
Date			

Notary Public's Certificate

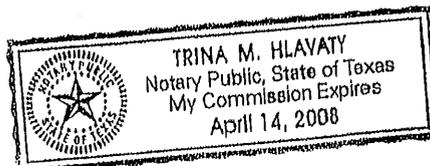
Subscribed and sworn to before me, by the said

Trina M. Hlavaty

this 7 day of September, 2006, to certify which witness my hand and seal of office.

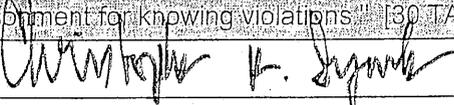
Notary Public in and for HARRIS County, Texas

My Commission Expires 4-14-2008



Applicant's Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [30 TAC §305.44(b)]

Signature of Applicant				
Type or Print Name and Title	Christopher Synek Authorized Representative of Blue Ridge Landfill TX, LP Southwest Regional Vice President			
Street or P.O. Box	2200 FM 521			
(City)(County)(State)(Zip)	Fresno	Fort Bend	TX	77545
(Area Code)(Phone#)	281	835-6142		
(Area Code)(FAX #)	281	835-6146		
Date				

Notary Public's Certificate

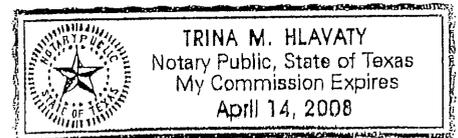
Subscribed and sworn to before me, by the said

Trina M. Hlavaty

this 7 day of September, 2006, to certify which witness my hand and seal of office.

Notary Public in and for HARRIS County, Texas

My Commission Expires 4-14-2008



Please submit completed Application and a TCEQ Core Data Form(s) (TCEQ-10400) to:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Waste Permits Division
MC 124/Municipal Solid Waste Permits Section
P.O. Box 13087
Austin, Texas 78711-3087