

# Texas Commission on Environmental Quality



Permit For Municipal  
Solid Waste (MSW) Management Facility  
Issued under provisions of Texas  
Health and Safety Code  
Chapter 361

MSW Permit No.: 2369

Name of Site Operator/Permittee: City of Levelland

Property Owner: City of Levelland

Facility Name: City of Levelland Landfill

Facility Address: Bobwhite Road approximately 0.5 miles South of FM 1585  
Hockley County

Classification of Site: Type I Arid Exempt (AE) and Type IV AE 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 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 Title 30 Texas Administrative Code Chapter 330.

Issued Date:

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For the Commission

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**PART NO. 1**

**I. Size and Location of Facility**

- A. The City of Levelland Landfill is located in Hockley County, Texas on Bobwhite Road, 2.5 miles east of US-385, 0.5 miles south of FM-1585.
- 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 33° 34' 18"
  - Longitude: W 102° 21' 09"
  - Elevation: 3490 feet above mean sea level (msl)

**II. Waste Management Units and Operations Authorized**

**A. Days and Hours of Operation**

The waste acceptance hours for the receipt and disposal of waste at this facility shall be any time between the hours of 8:00 a.m. to 5:00 p.m. on Monday through Saturday. The operating hours at this landfill which include the use of heavy equipment shall be any time between the hours of 6:00 a.m. to 7:00 p.m. on Monday through Saturday.

**B. Wastes Authorized at This Facility**

The permittee is authorized to dispose of municipal solid waste resulting from, or incidental to, municipal, community, commercial, institutional, and recreational activities, including garbage, putrescible wastes, rubbish, ashes, brush, street cleanings, dead animals, abandoned automobiles, construction-demolition waste, yard waste, and certain special wastes that are identified in Part IV found in Attachment A of this permit. The acceptance of the special wastes, indicated in Part IV of Attachment A of this permit, is contingent upon such waste being handled in accordance with Title 30 Texas Administrative Code (30 TAC) Section (§)330.171, and in accordance with the listed and described procedures in Part IV found in Attachment A of this permit, subject to the limitations and special provisions provided herein.

**C. Wastes Prohibited at This Facility**

The permittee shall comply with the waste disposal restrictions set forth in 30 TAC §330.15(e). Industrial solid waste, regulated hazardous waste from any source, and any other waste not identified in Section II.B. of this permit shall not be accepted at this facility.

D. Waste Acceptance Rate

Authorized solid waste may be accepted for disposal at this facility at the maximum rate of approximately 7300 tons-per-year of Type I waste (approximately 20 tons-per-day based on 365 days-per-year of operation) and approximately 7300 tons-per-year of Type IV waste (approximately 20 tons-per-day based on 365 days-per-year of operation). The actual yearly waste disposal 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 available waste disposal capacity of the landfill is approximately 3,860,313 cubic yards. The total waste disposal capacity of the landfill is based upon the information contained in Section 1.3 of Part III found in Attachment A of this permit.

F. Waste Management Units Authorized

The permittee is authorized to operate a Type I Arid Exempt MSW landfill that utilizes a combination of an area excavation fill and aerial fill of the municipal solid waste landfill subject to the limitations contained herein. The permittee is also authorized to operate a Type IV Arid Exempt MSW landfill that utilizes a combination of an area excavation fill and aerial fill of the MSW subject to the limitations contained herein. All waste disposal activities authorized by this permit are to be confined to this facility, which shall include disposal units, structures, appurtenances, or improvements: access roads, dikes, berms and temporary drainage channels, permanent drainage structures, detention ponds, perimeter landfill gas monitoring locations, final cover, and other improvements

G. Changes, Additions, or Expansions

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

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**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 Chapter 330; special provisions contained in this permit; and Parts I through 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 §330.3 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, spills, or precipitation;
  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 §26.121 of the Texas Water Code;
  2. Any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements of §402, as amended, and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
  3. The requirements under §404 of the Federal Clean Water Act, as amended; and
  4. Any requirement of an area wide or statewide water quality management plan that has been approved under §208 or §319 of the Federal Clean Water Act, as amended.
- D. Contaminated water shall be handled, stored, treated, disposed of, and managed in accordance with 30 TAC §§330.305(g), 330.65(c), and 330.207 and Part III, Attachment 15 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 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 §§330.305(c) and 330.165(c), and as described in Part III found in Attachment A of this permit.
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- G. The permittee shall comply with 30 TAC §330.59(f) and as described in Part I found in Attachment A of this permit. The permittee shall ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules and this permit, commensurate with their levels and positions of responsibility, in accordance with Part III and Part IV found in Attachment A of this permit. All facility employees and other persons involved in facility operations shall obtain the appropriate level of training and/or certification as required applicable regulations.
- 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 safe aircraft operations will require prompt mitigation actions.

#### IV. Financial Assurance

- A. Authorization to operate the facility is contingent upon compliance with provisions contained within the permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330, Subchapter K and 30 TAC Chapter 37.
- B. 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 §§330.503. The closure cost estimate of \$121,880 (2010 dollars) is based on estimates as described in Part III 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 2010 until the year the permit is issued.
- C. 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 \$559,800 (2010 dollars) is based on estimates as described in Part III 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 2010 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 §§330.503 and 330.507, as applicable.
- E. If the facility's 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 §§330.503, 330.463(b)(3)(D), and 330.507, 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 disposal operations and/or upon the landfill being filled to its permitted waste disposal capacity or rendered unusable in accordance with Part III found in Attachment A of this permit;
- B. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this permit or violation of State or Federal regulations. The Executive Director 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;
- D. For failure to secure and maintain an adequate bond or other financial assurance as required; or
- E. Upon the permittee's notification to the TCEQ that the landfill will cease to accept waste and no longer operate at any time prior to the site being completely filled to capacity.

## **VI. Site Completion and Closure**

The landfill shall be completed and closed in accordance with 30 TAC §330.451 and the applicable portions of 30 TAC §§330.457 through 330.465. Upon closure, the permittee shall submit to the Executive Director documentation of closure. Post-closure care and maintenance shall be conducted in accordance with Part III found in Attachment A of this permit, for a period of 30 years or as otherwise determined by the Executive Director pursuant to 30 TAC §330.463(b).

## **VII. Standard Permit Conditions**

- A. Parts I through IV, as described in 30 TAC §330.57(c), which comprise the Permit Application for MSW Permit No. XXXX are hereby made a part of this permit as Part No. 2: Attachment A. The permittee shall maintain Parts I through IV, as described in 30 TAC §330.57(c), at the facility and make them available for inspection by TCEQ personnel as required by 30 TAC §330.125. The contents of Part III of Attachment A of this permit shall be known as the "Site Development Plan," in accordance with 30 TAC §§330.63(a). The contents of Part IV of Attachment A of this permit shall be known as the "Site Operating Plan," in accordance with 30 TAC §§330.65(a).
- B. Part No. 3, Attachment B, consisting of amendments, modifications, temporary authorizations, 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 pre-construction conference shall be held pursuant to 30 TAC §330.73(c) prior to beginning any construction within the permit boundary to ensure that all aspects of this permit, construction activities, and inspections are met. Additional pre-construction conferences may be held prior to the opening of the facility.
- E. A pre-opening inspection shall be held pursuant to 30 TAC §330.73(e).

- 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 §330.19(a), the permittee shall record in the deed records of Hockley 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 §330.19(b).
- I. Daily 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 §§330.165(d) and 305.70. Intermediate cover, run-on, and run-off controls shall not be constructed from soil that has been scraped up from prior daily cover or which 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. Erosion and sedimentation controls shall remain functional until disturbed areas are stabilized with established permanent revegetation. Erosion stability measures shall be maintained on top dome surfaces and external embankment side slopes during all phases of landfill operation, closure, and post-closure care in accordance with 30 TAC §330.305(d). The permittee shall maintain the on-site access road and speed bumps/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 §330.145, 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 §330.67(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 Texas 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 local, state, and federal laws or ordinances.
- P. If differences arise between these permit provisions (including the incorporated Parts I through IV of Attachment A of this permit) and the rules under 30 TAC Chapter 330, the permit provisions shall hold precedence.
- 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 and 30 TAC Chapter 330, Subchapter U.
- 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 prior to the beginning of any on-site improvements or construction approved by this permit.

#### **IX. Special Provisions**

None.

#### **PART NO. 2**

##### **Attachment A**

Parts I through IV of the permit application effective with the date on the permit.

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#### **PART NO. 3**

##### **Attachment B**

Minor amendments, corrections, and modifications may be issued for MSW Permit No. 2369.

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.

**Technical Summary  
of the  
City of Levelland Landfill  
Municipal Solid Waste Permit  
Application No. 2369**

**Type I Arid Exempt and  
Type IV Arid Exempt  
Municipal Solid Waste Facility  
Hockley County, Texas**

**Applicant:  
City of Levelland**

**Date Prepared: March 30, 2012**

Prepared and Issued by the  
Texas Commission on Environmental Quality (TCEQ)  
Office of Waste  
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.

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Name of Applicant: City of Levelland  
P.O. Box 1010  
Levelland, Texas 79336

Name of Facility: City of Levelland Landfill

Contact Person: Mr. Rick Osburn, City Manager  
P.O. Box 1010  
Levelland, Texas 79336  
(806) 894-0113

Consulting Engineers: Mr. Robert H. Holder, Firm Principal  
Parkhill, Smith, and Cooper, Inc.  
4222 85<sup>th</sup> Street  
Lubbock, Texas 79423  
(806) 473-2200

Type of Facility: Type I Arid Exempt (AE) and Type IV AE Municipal Solid Waste  
Landfill Facility

**1. General**

**1.1 Purpose:**

This permit application, submitted by the City of Levelland, is to construct and operate a new Type I AE and Type IV AE MSW landfill in Hockley County, Texas. The total permitted facility will include 177.02 acres of land of which only approximately 90 acres will be used for waste disposal. The maximum final elevation of the final cover material will be 3535 feet above mean sea level (msl) for the Type I AE landfill area, and 3507.4 feet above msl for the Type IV AE landfill area. 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, municipal, community, commercial, institutional, and recreational activities, including garbage, putrescible wastes, rubbish, brush, street cleanings, dead animals, construction-demolition waste, yard waste, special waste, and other waste as approved by the Executive Director. The proposed landfill will not be able 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.

**1.3 Waste Acceptance Rate:**

Authorized wastes will be accepted at an anticipated initial rate of approximately 20 tons-per-day for the Type I landfill area, and 20 tons-per-day for the Type IV landfill area, which results in an estimated life of approximately 217 years.

## **2. Location and Size**

### 2.1 Location:

The City of Levelland Landfill is located in Hockley County, Texas on Bobwhite Road, 2.5 miles east of US-385, 0.5 miles south of FM-1585. Refer to the General Location Map, Attachment 1 to this Application Summary.

### 2.2 Elevation and Coordinates of Permanent Benchmark:

Latitude: N 33° 29' 34.9"  
Longitude: W 102° 19' 53.3"  
Elevation: 3488.7 feet above msl

### 2.3 Size:

The total area within the permit boundary under the proposed permit is approximately 172.02 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:

A Type I AE and Type IV AE municipal solid waste landfill facility with a disposal footprint of approximately 90 acres. The landfill will have two fill areas separated by a berm. The landfill will have a below grade excavation of approximately 25 feet down to elevation 3459 feet above msl with continuous area filling with waste, and above grade aerial fill of approximately 70 feet up to elevation 3533 feet above msl. The proposed facility will contain a gatehouse, scales, wood and concrete waste processing and reuse areas, and perimeter drainage ditches and detention ponds.

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 Hockley County near the City of Levelland, Texas. The site is on Bobwhite Road, 2.5 miles east of US 385, 0.5 miles south of FM 1585.
- 4.2. The proposed facility will be located in Hockley 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 used for agriculture and undeveloped property.

- 4.4. Structures located within the 1 mile boundary of the site consist of homes located on relatively large tracts of land.

## **5. Transportation and Access**

- 5.1 The primary access route to the site is US 385 and east on FM 1585 to Bobwhite Road.

Direct access to the site is from US-385 is a two-lane undivided highway system with paved shoulders. FM-1585 is a low volume two-lane rural, uncurbed paved roadway. US-385 and FM-1585 are both maintained by the Texas Department of Transportation. Bobwhite Road is a very low volume two-lane rural, uncurbed, graded and compacted, unpaved roadway that is primarily used for access to farmland. Bobwhite Road is maintained by Hockley County.

- 5.2 Based on information obtained from the Texas Department of Transportation (TxDOT) the 2008 daily traffic volume for FM-1585 in the vicinity of the proposed site was 970 vehicles per day traveling in both directions. The landfill facility is expected to contribute approximately 15 vehicles per day. This information is contained in the application and indicates that this road can sufficiently handle the current and anticipated future traffic volumes associated with this facility.
- 5.3 The nearest public use airport is the Levelland Municipal Airport, which is located 3.8 miles northwest of the site. The FAA was contacted and did not object to the location of the landfill site provided bird populations at the landfill are monitored and any increases in bird activity that might be hazardous to the safe operation of aircraft be promptly mitigated or the facility closed.

## **6. Surface Water Protection**

- 6.1 Floodplain:

A portion of the permitted site lies within Federal Emergency Management Agency delineated 100-year floodplain. No portion of the waste fill area of the Levelland Landfill site is located within the 100-year floodplain.

- 6.2 Stormwater:

Stormwater drains to outfalls in the northwest and southwest corners of the site.

- 6.3 Contaminated Water:

Stormwater which 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 for impacts to groundwater at the site resulting from waste disposal operations, the final cover of fill areas will be covered with an 18-inch infiltration layer of compacted clay-rich soil overlain by a 6-inch soil erosion layer vegetated with native grasses.

7.2 Monitoring Wells:

The City of Levelland Landfill meets the criteria for an Arid Exemption and is not required to implement a groundwater monitoring system for the uppermost aquifer per TCEQ regulations. One on-site existing water well will be monitored annually for the constituents in 40 CFR Part 258, Appendix I and the results reported to the TCEQ.

**8. Control of Methane**

8.1 Monitoring:

Landfill gas migration will be monitored around the perimeter of the facility utilizing temporary bar hole landfill gas monitoring probes. TCEQ regulations require that gas monitoring be conducted quarterly to detect any possible migration of methane gas beyond the facility property boundary and in enclosed structures within the facility property boundary.

**9. Site Development and Operation**

The Site Development Plan (SDP), Part III, and Site Operating Plan (SOP), Part IV, are intended to provide guidance from the design engineer to the proposed facility site management and operating personnel to facilitate implementation, development, and operation of 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 regulatory requirements of the TCEQ. These documents were prepared using 30 TAC §330 regulations and will become part of the facility permit if the proposed landfill major amendment is approved by the TCEQ.

**10. Protection of Endangered Species**

The Endangered Species Report in Part II, Attachment 1 concluded that no effects on federal-listed species or state-listed species are expected as a result of the operation of this facility.

**11. Protection of Wetlands**

Portions of the site meet the definition of wetlands by the National Wetlands Inventory; however, the Army Corps of Engineers has determined that no Federal wetlands are present at the site.

**12. Financial Assurance**

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

**13. Attachments**

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

Attachment	Description	Location in Permit Application
#1	General Location Map	Part I Figure I.1.2
#2	Site Layout Map	Part II, Figure II.5.1
#3	Land Use Map	Part II, Figure II.8.1
#4	Final Contour Drawing	Part III, Figure III.ATT6.4

**14. Additional Information**

For information concerning the regulations covering this application, contact the Texas Natural Resource Conservation Commission:

Mr. Dwight C. Russell, P.E.  
MSW Permits Section, MC 124  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711  
(512) 239-5282

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.

- 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" 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. The notice also allows the public to request a public meeting for the proposed facility.

- 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 public hearing.
  - 15.5 After the 30-day period to request a 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 public hearing.
  - 15.6 A public 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.
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# Compliance History Report

Customer/Respondent/Owner-Operator:	CN600247167 City Of Levelland	Classification: AVERAGE	Rating: 6.89
Regulated Entity:	RN105961809 CITY OF LEVELLAND LANDFILL	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	MUNICIPAL SOLID WASTE DISPOSAL PERMIT		
Location:	0.5 MI S OF FM 1585 ON BOBWHITE		2369
TCEQ Region:	REGION 02 - LUBBOCK		
Date Compliance History Prepared:	February 23, 2012		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	July 08, 2005 to February 23, 2012		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	BOBBIE ROGANS	Phone:	239 - 6197

### 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. If YES, when did the change(s) in owner or operator occur?      N/A
6. Rating Date: 9/1/2011 Repeat Violator:      NO

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.  
.....
  - 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
  - J. Early compliance.  
N/A
- Sites Outside of Texas  
N/A