

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2012

The Honorable John Raney
Texas House of Representatives
P. O. Box 2910
Austin, Texas 78768

Dear Representative Raney:

Thank you for your letter requesting a public meeting regarding the pending application by CCAA, LLC, Brazos Valley Disposal Facility for municipal solid waste permit #2376 in Brazos County.

Our staff will contact you when a public meeting has been scheduled. The meeting will be scheduled at a time and location convenient for you and your constituents.

If you have any questions, please contact me at (512) 239-3914 or Ms. Bridget C. Bohac, Chief Clerk, at (512) 239-3300.

Sincerely,

Zak Covar
Executive Director

CHIEF CLERK'S OFFICE

2012 JUN -4 PM 2:34

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

JOHN RANEY



The State of Texas
House of Representatives

CAPITOL OFFICE:
P.O. Box 2910
AUSTIN, TEXAS 78768-2910
512-463-0698
512-463-5109 FAX

DISTRICT OFFICE:
4103 SOUTH TEXAS AVENUE, SUITE 103
BRYAN, TEXAS 77802
979-260-5040
FAX: 979-260-5097

May 31, 2012

Ms. Bridget C. Bohac
Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
TRACKING # 17896
ASSIGNED TO: OC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
MAY 31 AM 11:10
CHIEF CLERK'S OFFICE

DUE DATE: 6-7-12

Re: Notice of Application and Preliminary Decision for Municipal Solid Waste Permit - CCAA, LLC, Brazos Valley Disposal Facility, Proposed Permit No. 2376

Ms. Bohac:

Since the publication of the notice of this application on May 11, 2012 some concerns have been brought to my attention by area property owners and the City of College Station. In an effort to facilitate an open line of communication, provide more time to further examine the facility's effects, and to provide a forum for those who have concerns, I respectfully request that the Texas Commission on Environmental Quality Executive Director schedule and convene a public meeting on proposed permit Number 2376.

I have included the City of College Station's resolution adopted on May 24, 2012 requesting that the Texas Commission on Environmental Quality Executive Director schedule a public meeting with this letter in addition to the Notice of Application and Preliminary Decision for Municipal Solid Waste Permit.

Thank you for your assistance and I look forward to a favorable response to this request on behalf of my constituents in Texas House District 14. If you have any questions, please contact my office at (979) 260-5040.

Sincerely,

Representative John Raney, District 14

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
JUN -4 PM 2:34
CHIEF CLERK'S OFFICE



JOHN RANEY



The State of Texas
House of Representatives

msw
77804

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AUSTIN, TEXAS 78768-2910
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4103 SOUTH TEXAS AVENUE, SUITE 103
BRYAN, TEXAS 77802
979-260-5040
FAX: 979-260-5097

May 31, 2012

REVIEWED

JUN 01 2012

PM

By BR

Ms. Bridget C. Bohac
Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: **Notice of Application and Preliminary Decision for Municipal Solid Waste Permit - CCAA, LLC, Brazos Valley Disposal Facility, Proposed Permit No. 2376**

OFFICE OF THE CHIEF CLERK
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AUSTIN, TEXAS 78711-3087
2012 JUN 01 10:52 AM

Ms. Bohac:

Since the publication of the notice of this application on May 11, 2012 some concerns have been brought to my attention by area property owners and the City of College Station. In an effort to facilitate an open line of communication, provide more time to further examine the facility's effects, and to provide a forum for those who have concerns, I respectfully request that the Texas Commission on Environmental Quality Executive Director schedule and convene a public meeting on proposed permit Number 2376.

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Sincerely,

Representative John Raney, District 14



msw

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR MUNICIPAL SOLID WASTE PERMIT

PROPOSED PERMIT NO. 2376

APPLICATION AND PRELIMINARY DECISION. CCAA, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to operate the Brazos Valley Disposal Facility, a Municipal Solid Waste Type IV disposal facility. The facility is proposed to be located at 8825 Stewart Meadow, College Station, TX 77845 in Brazos County, Texas. The TCEQ received this application on June 3, 2011. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.574722&lng=-96.406388&zoom=13&type=r>. For exact location, refer to application.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Larry J. Ringer Public Library, 1818 Harvey Mitchell Parkway South, College Station.

PUBLIC COMMENT/PUBLIC MEETING: You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A person who may be affected by the proposed facility is entitled to request a contested case hearing from the commission.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone; applicant's name and permit number; the location and distance of your property/activities

relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION All public comments and requests must be submitted within 30 days from the date of newspaper publication of this notice either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you choose to communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from CCAA, LLC at the address stated above or by calling Charles Mancuso at (979) 260-3867.

Issuance Date: May 1, 2012

RESOLUTION NO. 05-24-12-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, REQUESTING THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EXECUTIVE DIRECTOR TO SCHEDULE A PUBLIC MEETING CONCERNING PROPOSED MUNICIPAL SOLID WASTE PERMIT NO. 2376 TO OPERATE THE BRAZOS VALLEY DISPOSAL FACILITY.

WHEREAS, CCAA, LLC has applied to the Texas Commission on Environmental Quality for a Permit to operate the Brazos Valley Disposal Facility, a Municipal Solid Waste Type IV disposal facility; and

WHEREAS, the facility is proposed to be located at 8825 Stewart Meadow, College Station Texas 77845 in Brazos County Texas; and

WHEREAS, the proposed facility location is within the City of College Station Extraterritorial Jurisdiction; and

WHEREAS, the proposed facility could significantly affect the quality of life for adjacent residents and property owners within the City of College Station Extraterritorial Jurisdiction; and

WHEREAS, on May 1, 2012, the Texas Commission on Environmental Quality Executive Director issued a Notice of Application and Preliminary Decision for a Permit to operate the Brazos Valley Disposal Facility deeming that the permit, if issued, meets all statutory and regulatory requirements; now, therefore,

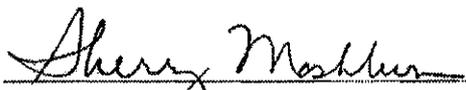
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That the City Council hereby requests that the Texas Commission on Environmental Quality Executive Director schedule a public meeting to hear comments on the proposed permit to operate the Brazos Valley Disposal Facility.

PART 2: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 24 day of May, A.D. 2012.

ATTEST:



City Secretary

APPROVED:



MAYOR

APPROVED:



City Attorney



JOHN RANEY

STATE REPRESENTATIVE • DISTRICT 14

P.O. Box 2910 • AUSTIN, TEXAS 78768-2910

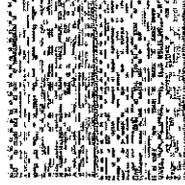
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05/31/2012

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CENTRAL

CHIEF CLERK'S OFFICE

Ms. Bridget C. Bohac
Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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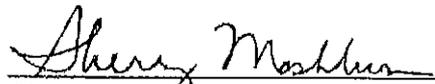
PART 1: That the City Council hereby requests that the Texas Commission on Environmental Quality Executive Director schedule a public meeting to hear comments on the proposed permit to operate the Brazos Valley Disposal Facility.

PART 2: That this resolution shall take effect immediately from and after its passage.

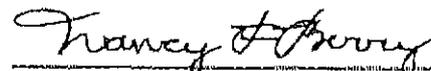
ADOPTED this 24 day of May, A.D. 2012.

ATTEST:

APPROVED:



City Secretary



MAYOR

APPROVED:



City Attorney

JOHN RANEY



The State of Texas
House of Representatives

CAPITOL OFFICE:
P.O. Box 2910
AUSTIN, TEXAS 78768-2910
512-463-0698
512-463-5109 (fax)

Fax

TO: Ms. Bohac FROM: Rep. John Raney, District 14

FAX: _____ PAGES: 5 incl cover

PHONE: _____ DATE: _____

RE: _____ CC: _____

- Urgent For Review Please Comment Please Reply Please Recycle

COMMENTS:

CHIEF CLERKS OFFICE

2012 MAY 31 AM 11:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

