

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.: 2376

Name of Site Operator/Permittee: CCAA, LLC

Property Owners: CCAA, LLC and Kelly Burt Dozer, Inc. (separate tracts)

Facility Name: Brazos Valley Disposal Facility

Facility Address: 8825 Stewarts Meadow
College Station, TX 77845

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 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:

For the Commission

Table of Contents

PART NO. 1 3

 I. Size and Location of Facility 3

 II. Waste Management Units and Operations Authorized..... 3

 III. Facility Design, Construction, and Operation 4

 IV. Financial Assurance 5

 V. Facility Closure 6

 VI. Site Completion and Closure7

 VII. Standard Permit Conditions7

 VIII. Incorporated Regulatory Requirements..... 9

 IX. Special Provisions 9

PART NO. 2..... 9

PART NO. 3..... 9

PART NO. 1

I. Size and Location of Facility

- A. The Brazos Valley Disposal Facility is located in the City of College Station in Brazos County, Texas approximately 1,300 feet northwest of the intersection of Stewarts Meadow and FM 60 (Raymond Stotzer Parkway)
- B. The legal description is contained in Parts I/II of the application found in Attachment A of this permit.
- C. Coordinates and Elevation of Site Permanent Benchmark:
 - Latitude: 30.57226067° N
 - Longitude: 96.40707784° W
 - Elevation: 287.21 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 7:00 a.m. to 7:00 p.m. on Monday through Friday, and from 7:00 am to 2:00 pm on Saturday. The operating hours at this landfill which include the use of heavy equipment shall be any time between the hours of 7:00 a.m. to 7:00 p.m. on Monday through Friday and from 7:00 a.m. to 2:00 p.m. on Saturday.

B. Wastes Authorized at This Facility

Solid waste to be disposed of will consist of brush, construction or demolition waste, rubbish, class 3 non-hazardous industrial solid waste, inert material as defined in 30 Texas Administrative Code (30 TAC) Chapter 330, Section (§)330.3(67), and non-regulated asbestos-containing materials. Class 2 non-hazardous industrial solid waste may be accepted to the extent that they are consistent with 30 TAC §330.5(a)(2). The proposed landfill will not be able to accept waste materials other than those mentioned above.

C. Wastes Prohibited at This Facility

The proposed landfill will not be able to accept waste materials other than those identified in Section II.B. of this permit.

D. Waste Acceptance Rate

Authorized wastes will be accepted at an anticipated initial rate of approximately 400 tons per day increasing to approximately 800 tons per day in the fifth year. The landfill unit has an estimated life of approximately 7.4 years.

E. Waste Volume Available for Disposal

The total waste disposal capacity of the landfill is 4,243,800 cubic yards based upon the information contained in Section 3 of Part III, Attachment 3 found in Attachment A of this permit.

F. Waste Management Units Authorized

The permittee is authorized to operate a Type IV municipal solid waste 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. 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, landfill gas management system, contaminated water management systems, final cover, a groundwater monitoring system, a landfill liner system, 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 Chapter 305 and in accordance with 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 Chapter 330, Subchapters B, D, and G; 30 TAC §§330.331(d), 330.335 through 330.341, 330.417, 330.453, 330.463(a), 330.465, 330.467; Chapter 330, Subchapter M; Chapter 37, Subchapter R; special provisions contained in this permit; and Parts I through IV of the application found in Attachment A of this permit. The facility construction and operation shall be managed in a manner that protects 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) and Part III, Attachment 3, Section 6.0 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 8 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, Attachment 2 of this permit.
- G. The permittee shall comply with 30 TAC §330.59(f) and as described in Part I/II 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 by 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. At least 60 days prior to the acceptance of waste, 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 \$956,288 (2011 dollars) is based on estimates as described in Part III, Attachment 9 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 2011 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 \$282,862 (2011 dollars) is based on estimates as described in Part III, Attachment 9 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 2011 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 in accordance with Part III, Attachment 7 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 instrument as required; or

- E. Upon the permittee's notification to the TCEQ that the landfill will cease to accept waste and no longer operate.

VI. Site Completion and Closure

The landfill shall be completed and closed in accordance with 30 TAC §330.453 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 five years or as otherwise determined by the Executive Director pursuant to 30 TAC §330.463(a).

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. 2376 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 Brazos 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 at least once each week 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 Provision

Before waste may be accepted at the facility, monitoring wells MW-1, MW-2, MW-3 MW-4 and MW-6 will be constructed in accordance with §330.421 and piezometers PZ-1, PZ-3, PZ-8, PZ-10, PZ-15 and PZ-17 will be plugged and abandoned in accordance with 16 TAC §76.702.

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

Amendments, corrections, and modifications may be issued for MSW Permit No. 2376

The 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.