DUGGINS
WREN
MANN &
ROMERO, LLP

One American Center
600 Congress
Suite 1900
Austin, TX 78701

P.O. Box 1149
Austin, TX 78767

p: 512.744.9300
f: 512.744.9399
www.dwmrlaw.com

April 4, 2013

Via electronic mail

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

RE: TCEQ Docket No. 2013-0437-MSW
Permit MSW-1312A
City of Carrollton's Reply to the Responses of the Executive Director and Public Interest Counsel and the Joint Response of the City of Farmers Branch and Camelot Landfill TX, LP to Motion to Overturn

Dear Ms. Bohac:

On behalf of the City of Carrollton, please find the City of Carrollton's Reply to the Responses of the Executive Director and Public Interest Counsel and the Joint Response of the City of Farmers Branch and Camelot Landfill TX, LP to Motion to Overturn.

Thank you for your consideration of this Reply. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Celina Romero
cromero@dwmrlaw.com

CR:ph

cc: Clayton Hutchins, City Attorney, City of Carrollton
Service List

TCEQ DOCKET NO. 2013-0437-MSW
PERMIT NO. MSW-1312A

APPLICATION OF:	§	**BEFORE THE**
	§	
CITY OF FARMERS BRANCH,	§	
CAMELOT LANDFILL TX, LP	§	**TEXAS COMMISSION ON**
MODIFICATION FOR USE	§	
OF CONTAMINATED SOIL AS	§	
ALTERNATIVE DAILY COVER	§	**ENVIRONMENTAL QUALITY**

REPLY BY THE CITY OF CARROLLTON TO THE RESPONSES OF THE EXECUTIVE DIRECTOR AND PUBLIC INTEREST COUNSEL AND THE JOINT RESPONSE OF THE CITY OF FARMERS BRANCH AND CAMELOT LANDFILL TX, LP TO THE MOTION TO OVERTURN

TO THE HONORABLE COMMISSIONERS:

The City of Carrollton ("Carrollton") files this Reply to the Responses of the Executive Director and the Public Interest Counsel and the Joint Response of the City of Farmers Branch and Camelot Landfill TX, LP ("Farmers Branch" or "Applicant") to the City of Carrollton's Motion to Overturn the Executive Director's decision to grant Farmers Branch's application for a modification to Permit Number 1312A ("Modification") to authorize the permanent use of contaminated soils as alternative daily cover ("ADC") at the Camelot Landfill, located in Denton County. In support, the City of Carrollton states the following:

I. Summary of Argument

This Modification fails to meet all applicable statutory and regulatory requirements. Carrollton has demonstrated that the waste characterization procedures, stormwater management and control, quantification and evaluation of air emissions and the adequacy of closure costs are wholly inadequate and support a ruling to overturn the Modification. The Public Interest Counsel concurs. The Executive Director responds by merely identifying the regulatory standards that are in place to address the concerns raised by Carrollton, and indicates that if Farmers Branch complies with those regulations, the concerns raised by Carrollton are or will be

addressed. However, Carrollton's concern is that the application for the Modification is deficient in demonstrating that Farmers Branch's plan for using contaminated soils as ADC meets all regulatory criteria for approval. The Executive Director seems to shift the point of compliance with these regulatory standards to after-modification-issuance. In this case, the Executive Director fails to recognize the import of these demonstrations in the Modification approval process. Carrollton respectfully requests the Commission to review the arguments and information submitted by Carrollton and all the parties to this proceeding and to overturn the approval of the Modification.

II. Reply to Farmers Branch's Assertion that Carrollton is using this process as simply another avenue to complain of the pending Major Modification Application

Farmers Branch states at the outset of its Response that Carrollton is motivated to complain about the Modification because it represents "simply ... another avenue to complain about the Camelot Landfill."[1] Carrollton has made no secret of the fact that it is opposed to Farmers Branch's application for a major amendment to the permit for the Camelot Landfill pending under Application Number 1312B ("Major Amendment Application"). Carrollton has also made no secret of the fact that it is opposed to Farmers Branch's application for a Modification because it would sever issues from the proceeding on the Major Amendment Application that otherwise would be subject to a full contested case hearing.[2]

Moreover, we oppose Farmers Branch's pattern of severing issues from its Major Amendment Applications into individual permit modification actions. In addition to this Modification, Farmers Branch has just recently filed a second application for a permit modification to authorize the construction of a slurry wall along the portion of the landfill where

[1] *See* Joint Response of the City of Farmers Branch and Camelot Landfill, at 2.
[2] *See* Carrollton's October 17, 2012 Comment Letter on the proposed approval of the Modification, attached as Exhibit A.

contamination has been detected in groundwater monitoring wells, once again severing an important design criterion from full review under the proceeding on the Major Amendment Application. The slurry wall is represented in the Major Amendment Application as part of the alternative liner design criteria to satisfy the requirements of 30 TAC § 330.331(a).[3] Nonetheless, Farmers Branch attempts to sever that essential element of the Major Amendment Application and set it on a separate track, as a notice-only modification. If approved the slurry wall could be constructed before the issuance of the Major Amendment Application. Carrollton's rights to challenge the sufficiency of the slurry wall and its effectiveness would be greatly impaired if this were to occur.

Candidly, Farmers Branch is correct that Carrollton is, in part, challenging the Modification due to the fact that Farmers Branch has an underlying Major Amendment Application. Carrollton objects to the attempted piecemealing of critical landfill design criteria into separate actions for which full review is not available to the citizens of Carrollton, the immediate neighbors of the facility. But for the Modification, the issues presented by it would be reviewed in the proceeding on the Major Amendment Application.

Carrollton, however, is concerned not only with the procedural issues severance represents, but it also has significant concerns about the adequacy of the demonstrations provided in the application for the Modification. Farmers Branch's argument that its Modification should be granted because another modification was granted for a different landfill is without merit. Each application must be judged on its own merits. Carrol ton's concerns with the merits of Farmers Branch's Modification are laid out in our October 17, 2012 comment letter, Carrollton's Motion to Overturn, and as stated herein.

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[3] *See* Vol. 1 of 6, Part III, Site Development Plan, Appendix IIIA, Section 5.0 at IIIA-6 – 7.

III. Reply to Farmers Branch's challenges to the applicability of 30 TAC § 50.133(a)

Farmers Branch asserts that 30 TAC § 50.133(a) is not applicable to this Modification. That section states that the executive director may act on an application if "the applicant meets all relevant statutory and administrative criteria." It would be absurd to suggest that the Executive Director could take action on any permit, permit modification, permit amendment, or other type of permit revision that did not comply with all relevant statutory and regulatory requirements. Notably, neither the Executive Director nor the Public Interest Counsel objected to applicability of § 50.133(a) in their Responses.

Furthermore, the applicability of Subchapter G of Chapter 50 is not as limiting as Farmers Branch represents. It states: "The purpose of this subchapter is to delegate authority to the executive director and to specify *applications* on which the executive director may take action on behalf of the commission."[4] It then goes on to list the types of applications that are eligible for Executive Director action and includes in that list "municipal solid waste permits." The rule language does not say "new" permits nor does it exclude amendments or modifications to permits. It merely says "applications on ... municipal solid waste permits." Farmers Branch does not point to any specific language or authority that supports its position that Subchapter G is strictly limited to actions on permits, not modifications, or presumably any other type of amendment or revisions to permits. Indeed, actions on modifications, amendments or revisions are actions on a permit.

Similarly, the language of § 50.131(a) which states that "[t]his subchapter does not affect the Executive Director's authority to act on an application where authority is granted elsewhere" is not as limiting as Farmers Branch suggests. The term "affect" does not suggest that the authority granted to the Executive Director elsewhere overrides the terms of Subchapter G. Nor

[4] 30 TAC § 50.131(a). (Emphasis added).

does it suggest that the terms of Subchapter G are exclusive to the applications that are covered by it. It merely states that the Subchapter does not *affect* the authority granted to the Executive Director elsewhere. It is reasonable to read the authority granted to the Executive Director under Subchapter G and "elsewhere" in harmony. To the extent not in conflict both provisions should apply.

In summary, the Executive Director can only take action on permit applications that meet all applicable statutory and regulatory requirements. This Modification does not meet all applicable requirements.

IV. Reply regarding Air Compliance Issues

Based upon public records obtained by Carrollton, fugitive emissions from the landfill are authorized by Standard Permit No. 75220 issued under 30 TAC § 116.621.[5] TCEQ approved the renewal of Farmers Branch's Title V General Operating Permit No. O2376 for this site on January 26, 2012.[6] The Technical Support Document for that renewal states: "The company is not consolidating the NSR authorizations for the site under TAC Chapter 330, Subchapter U at this time because MSW Standard Permit 75220 does not expire until 3/31/15."[7] Under § 116.615, the general provisions applicable to Chapter 116 Standard Permits, a facility owner/operator shall notify the executive director of any change in conditions which will result in an increase in the discharge of the various emissions as compared to the representations in the original registration or any previous notification of a change in representation no later than 30 days after the change. See 30 TAC § 116.615(2). Under 30 TAC § 122.503(c)(1) and (2) concerning Title V General Operating Permit (GOP) revisions for changes at the site, the permit holder shall comply with all applicable requirements of 30 TAC Chapter § 116 and shall submit

[5] *See* TCEQ letter issuing Standard Permit No. 75220 and related Technical Review, attached as Exhibits B.
[6] See TCEQ letter dated January 26, 2012 approving renewal of General Operating Permit No. O2376, attached as Exhibit C.
[7] See TCEQ Technical Review for the renewal of the Title V Operating Permit Number O2376, attached as Exhibit D.

an application for a new Title V GOP authorization to operate before the change is operated, if the applicant wants to operate the change before the TCEQ grants a new Title V GOP authorization to operate. The change first occurred, at the earliest, upon Executive Director approval of the first temporary authorization for this activity on May 11, 2011; and at the latest on the date the Modification was approved on January 22, 2013. Carrollton is not aware of any submittal by Farmers Branch to revise its representations in Standard Permit No. 75220 or to revise its authorization to operate under Title V GOP O2376 as result of this change. At a minimum, a quantification and proper authorization of the increase fugitive emissions related to the Modification should be examined. Increased VOC emissions from the site will have a detrimental impact to the air quality of the region, which is already nonattainment for ozone, and, in particular, on those citizens of Carrollton who are the closest neighbors to the Camelot Landfill. Neither the Executive Director, the Public Interest Counsel, or Farmers Branch addressed these issues.

V. Reply Regarding Stormwater Management and Capacity Issues

At a minimum, the Commission should remand this application to the Executive Director so that the provisions regarding contaminated stormwater are expanded to cover stormwater that comes into contact with both the contaminated soil stockpiles and contaminated soils in use on the working face of the landfill. As noted in Carrollton's Motion to Overturn, the Temporary Authorization associated with this activity expressly provides: "Stormwater runoff from areas that have been covered with the ADC and from ADC stockpiles shall be managed as contaminated water."[8] Yet, the finally approved Alternative Daily Cover Operating Plan for this modification omits any reference to the containment and treatment of stormwater runoff that comes into contact with contaminated soil on the working face of the landfill as contaminated

[8] Temporary Authorization, Municipal Solid Waste Permit No. 1312A, Camelot Landfill, at paragraph 4 (issued May 11, 2011).

stormwater. Farmers Branch has not made any demonstration that the permanent authorization for this modification should be any more lenient than the temporary authorization. This omission, as supported by the Public Interest Counsel, justifies overturning the Executive Director's decision.

In its Response, Farmers Branch describes the design elements in its application that would demonstrate that it has sufficient capacity to handle and dispose of the higher volume of contaminated stormwater that will be generated by this modification. Nonetheless, it remains the case that design information is simply inadequate to allow an evaluation of the landfill's ability to properly manage contaminated stormwater once it is controlled and, importantly, will not reach the Trinity River.

VI. Reply to Waste Characterization Issues

Carrollton appropriately pointed out in its Motion to Overturn that Farmers Branch's waste pre-acceptance procedures fails to sufficiently demonstrate the characteristics of the contaminated soil and its verification procedures are wholly inadequate. As the Public Interest Counsel cogently points out in its Response, Farmers Branch has a plan to demonstrate compliance with all applicable constituents of concern in the contaminated soil that is accepted as ADC, but there is a gaping hole in how that plan is carried out. Farmers Branch's alternative daily cover operating plan appropriately prohibits acceptance of soil that contains constituents of concern above concentration totals in Table 1, PCBs, and total petroleum hydrocarbons ("TPH") greater than 1,500 milligrams per kilogram (mg/kg). However, the waste profile sheets, contained in the two-month reports, contained no waste generator tests for TPH to determine if the soil exceeds 1,500 mg/kg as required under 30 TAC § 330.165(d)(4)(B). Nor was there any documentation that Farmers Branch had performed any testing of the soils for TPH. "As a result,

there is an open question whether the soil accepted for use as ADC exceeds the concentration limits in 30 TAC § 330.165(d)(4)(B)."[9]

Farmers Branch responds that it has waste acceptance procedures in place that would cover these soils. However, whatever existing waste acceptance procedures are currently in place were not adequate to catch the failure to test for TPH by the generator or by Farmers Branch, as described above. It is apparent that Farmers Branch's reliance upon generator supplied data with no tests of its own or procedures in place to verify and demonstrate that the contaminated soils that will be accepted as ADC are properly characterized is wholly inadequate. Proper characterization is particularly important given that contaminated soils will not be treated as other wastes and immediately landfilled. Instead they will be stockpiled and exposed to the environment (air and stormwater) for unregulated and potentially long periods of time as the Executive Director intends to authorize this activity without time or size limitations.

For all of the above reasons, this Modification should be overturned.

VII. Conclusion

Farmers Branch's application for a permit modification to permanently authorize contaminated soils to be used as ADC should be overturned for the reasons stated above. Significant concerns have been identified about the sufficiency of the applicant's ability to control and manage contaminated stormwaters and to carry out proper waste characterization procedures. Moreover, questions about the proper authorization of air emissions from the site exist. In addition, sufficiency of closure costs should be reviewed. All of these issues need to be cleared up before this modification to permanently authorize the use of contaminated soils as ADC is finally approved. In addition, Farmers Branch should not be allowed to piecemeal its Major Amendment Application by severing key landfill design and operating conditions and

[9] Office of Public Interest Counsel's Response to Motion to Overturn, at 10.

seeking approval of those individually through notice-only modifications. Accordingly, Carrollton respectfully requests that this application be overturned and remanded to the Executive Director to address the deficiencies of the application, or, in the alternative overturned and consolidated with Farmers Branch's Major Amendment Application where all of the above issues can be reviewed thoroughly.

Respectfully Submitted,

Celina Romero
State Bar No. 17223900
William Johnson
State Bar No. 24002367
Duggins Wren Mann & Romero, LLP
600 Congress Avenue, 19th Floor
Austin, Texas 78701
512-744-9300 (phone)
512-744-9399 (fax)

By:
Celina Romero

ATTORNEYS FOR THE CITY OF CARROLLTON

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of April, 2013, a true and correct copy of the foregoing document was served as indicated below to:

Bridget C. Bohac, Chief Clerk — **VIA ELECTRONIC MAIL**
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Gary Greer, City Manager — **VIA FACSIMILE**
Camelot Landfill
City of Farmers Branch
13000 William Dodson Parkway
Farmers Branch, Texas 75243

Brent W. Ryan — **VIA FACSIMILE**
McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P.
P. O, Box 12127
Austin, Texas 78711

Leonard H. Dougal — **VIA FACSIMILE**
Jackson Walker L.L.P.
100 Congress Avenue, Suite 1100
Austin, Texas 78701

Jason A. Edwards, P.E. — **VIA FACSIMILE**
Weaver Boos Consultants, LLC
Southwest
6420 Southwest Boulevard, Suite 206
Benbrook, Texas 76109

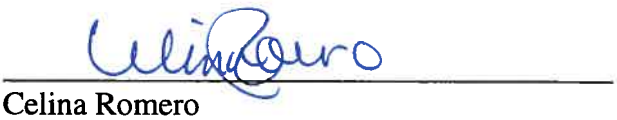
Brian Christian, Director — **VIA ELECTRONIC MAIL**
Texas Commission on Environmental Quality
Small Business and Environmental
Assistance
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087
brian.christian@tceq.texas.gov

Les Trobman **VIA ELECTRONIC MAIL**
Office of General Counsel
Texas Commission on Environmental Quality
Environmental Law Division MC-101
P.O. Box 13087
Austin, Texas 78711-3087
les.trobman@tceq.texas.gov

Guy Henry, Senior Staff Attorney **VIA ELECTRONIC MAIL**
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087
guy.henry@tceq.texas.gov

Charles Brown, Technical Staff **VIA ELECTRONIC MAIL**
Texas Commission on Environmental Quality
Municipal Solid Waste Permits Division
MC-124
P.O. Box 13087
Austin, Texas 78711-3087
charles.brown@tceq.texas.gov

Blas J. Coy, Jr., Attorney **VIA ELECTRONIC MAIL**
Texas Commission on Environmental Quality
P.O. Box 13087
Public Interest Counsel MC-103
Austin, Texas 78711-3087
pic@tceq.texas.gov



Celina Romero

EXHIBIT A

DUGGINS
WREN
MANN &
ROMERO, LLP

One American Center
600 Congress
Suite 1900
Austin, TX 78701

P.O. Box 1149
Austin, TX 78767

p: 512.744.9300
f: 512.744.9399
www.dwmrlaw.com

October 17, 2012

Filed Via E-Comments
(http://www10.tceq.texas.gov/epic/ecmnts/)

Bridget C. Bohac, Chief Clerk
Office of the 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 Modifications, Permit No. 1312A Regarding Use of Contaminated Soils as Daily Cover ("Notice").

Dear Ms. Bohac:

This letter is written on behalf of the City of Carrollton in opposition to the proposed modification to permit 1312A to allow contaminated soil to be used as daily cover.

First, the City of Carrollton objects to the applicant's attempt to bifurcate the use of contaminated soils from the pending permit amendment application, Permit No. 1312B. Soil balance is an important issue in the pending permit amendment application. It is required to be addressed in the rules. If there is insufficient soil to support the daily cover requirements, that is an important aspect of the ability of this landfill to comply with the rules.

Further, there is the issue of the impact of the use of contaminated soils on the Dallas—Fort Worth non-attainment plan for ozone. The Camelot Landfill is in Denton County which is within this non-attainment area. Gasoline is comprised of various volatile organic compounds that evaporate. When they evaporate, they become precursors to ozone formation. If contaminated soil is allowed to be "used" at this site, then additional VOCs will be added to the regional airshed, worsening the ozone condition.

The City of Carrollton believes that the better way to address this issue is to include the proposed use of contaminated soil in the proposed permit amendment. Then the evaporation of VOCs can be considered along with other pollutant issues associated with the proposed amendment. In particular, there are other sources of VOCs from the

proposed landfill, including combustion products from flaring. These must be considered and accounted for in the permitting process. Essentially, the City of Carrollton believes that the proposal to obtain a permit modification is an illegal bifurcation of issues in order to avoid a full and proper hearing.

Second, there are existing groundwater contamination issues at the site. Both TCE and DCE—organic toxic pollutants—have been detected in monitoring wells on the south side of the landfill. It makes no sense to add more toxic pollutants such as benzene, toluene, ethyl benzene and xylene that are routinely found in contaminated soil to this site. The TCEQ should be doing everything possible to remove toxics from this site, rather than adding more toxics.

Third, the permit modification application is grossly inadequate to demonstrate that the contaminated soils proposed to be used as alternative daily cover ("ADC") will be sufficiently characterized or managed in a manner that is protective of human health and the environment and consistent with the requirements of the existing permit.

Section 2.2 "Chemical Characteristics" states that testing will be conducted on the contaminated soil in order demonstrate the TPH, pesticides, herbicides and metals do not exceed levels specified by TCEQ rules. The proposed testing and characterization program, however, is deficient in multiple ways including:

- the waste pre-acceptance procedures fail to sufficiently demonstrate the characteristics of the contaminated soil;
- the landfill operator's reliance on generator supplied data without adequate procedures to verify that the contaminated soils used as ADC are properly characterized is inadequate;
- the method(s) and frequency of testing is not specified and fails to demonstrate that the characterization of chemical contamination is adequate or representative of the contamination in the soil that is actually used as ADC;
- the characterization program fails to demonstrate that the presence and concentration of all chemical constituents of concern are known;
- the characterization program does not address the potential that contaminated soil containing listed hazardous waste will be received by the facility and used as ADC;

DUGGINS WREN MANN & ROMERO, LLP

- no procedures are in place to demonstrate that PCBs are not present in the contaminated soil used as ADC;
- no testing for Table 1 constituents that are not metals, pesticides, herbicides, or TPH has been proposed; and,
- the characterization program fails to verify that the use of contaminated soils as ADC is protective of human health or the environment as required by TCEQ regulations.

Section 3.1 "Contaminated Soil" commits to control run-on and run-off from contaminated soil. The proposals designed to control the contaminated soil, however, are deficient in multiple ways including:

- there is no design or design basis for the containment berms and/or diversion berms described in the application;
- the location(s) of the stockpile area is not specified in order to allow evaluation of the proposed new waste management activity or unit;
- operational procedures for removal of contaminated storm water are not provided;
- a demonstration of sufficient storage capacity to manage contaminated storm water is not provided;
- no limitation of the amount of contaminated soil that may be accumulated in one or more stockpiles is proposed; and,
- financial assurance for closure and removal of the stockpile area has not been provided.

In summary, the City of Carrollton requests that the permit modification be denied, or, in the alternative, requests that the application to use contaminated soil as daily cover be consolidated into the pending permit amendment.

Should you have any questions or concerns, please do not hesitate to contact me.

DUGGINS WREN MANN & ROMERO, LLP

Sincerely,

DUGGINS WREN MANN & ROMERO, LLP

By: Celina Romero

Celina Romero

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 30, 2005

Mr. Mark Pavageaux
Director of Public Works
City Of Farmers Branch
13000 William Dodson Parkway
Farmers Branch, Texas 75234

Re: Standard Permit Number: 75220
Camelot Landfill
Farmers Branch, Denton County
Regulated Entity Number: RN101479038
Customer Reference Number: CN600131676

Dear Mr Pavageaux:

This is in response to your registration request, Form PI-1S, received March 8, 2005, regarding the proposed registration of the Camelot MSW Landfill located at 580 Huffines Boulevard, Farmers Branch, Denton County. The emissions represented for this project are included on the attached enclosure "Standard Permit Maximum Emission Rates Table".

After evaluation of the information which you have submitted, we have determined that your proposed project meets the requirements for a Municipal Solid Waste Landfill standard permit if constructed and operated as described in your registration. This standard permit was authorized by the Commissioners pursuant to Title 30 Texas Administrative Code § 116.621. A copy of the standard permit in effect at the time of this registration is enclosed. You must operate in accordance with all requirements of the enclosed standard permit rule.

You are reminded that these facilities must be in compliance with all rules and regulations of the Texas Commission on Environmental Quality and of the U.S. Environmental Protection Agency at all times, including the enclosed standard permit. Please reference the regulated entity number (RN), customer reference number (CN), and permit number noted in this document in all your future correspondence for the referenced facility or site. The RN replaces the former TCEQ account number for the facility (if portable) or site (if permanent). The CN is a unique number assigned to the company or corporation and applies to all facilities and sites owned or operated by this company or corporation.

Re: Standard Permit Number: 75220

Your cooperation in this matter is appreciated. If you have any questions, please contact Mr. Jon Edwards at (512) 239-5863 or write to the Texas Commission on Environmental Quality, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-163), P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

Anne M. Inman, Manager
General/Standard/Rule (GSR) Permit Section
Air Permits Division
Texas Commission on Environmental Quality

AMI/JE/alb

Enclosures

cc: Mr. Matt Stutz, LFG/Air Services Manager, Weaver Boos Consultants LLC-Southwest, Fort Worth
Mr. Joe Tilger, Environmental Health Officer, City of Farmers Branch, Farmers Branch
Mr. Tony L. Walker, Air Section Manager, Region 4 - Fort Worth

Project Number: 114083

Standard Permit Maximum Emission Rates Table
Permit Number 75220

The facilities and emissions included in this table have been represented and reviewed as the maximum emissions authorized by this standard permit registration.

Facility or Source Name	Air Contaminant*	Emission Rates	
		lb/hr	TPY
Landfill Fugitives**	VOC	4.26	18.65
	HAPs	2.074	9.084
Landfill Cell Const/Fill	PM_{10}	14.62	3.34
Tank1D	VOC	0.0003	0.001
Tank2D	VOC	0.00004	0.0002

The maximum operating schedule represented for these facilities is:

hours/day	days/week	weeks/year	hours/year
24	7	52	8760

* VOC - volatile organic compounds
HAPs - hazardous air pollutants
PM_{10} - particulate matter less than 10 microns in size

**Fugitive emissions are an estimate only and should not be considered as a maximum allowable

STANDARD PERMIT
TECHNICAL REVIEW

Company:	City of Farmers Branch	Permit No.:	75220
City:	Farmers Branch	Project No.:	114083
County:	Denton	Account No.:	DF-0541-K
Project Type:	JRVW	Regulated Entity No.:	RN101479038
Project Reviewer:	Mr. Jon Edwards	Customer Reference No.:	CN600131676
Facility Name:	Camelot Landfill		

REVIEW SUMMARY

Compliance with all 30 TAC §§116.610 and 116.621 requirements? ..... Yes
Did this application trigger a 30 TAC Chapter 60 Compliance History review? ..... NO
If YES, are we recommending denial due to compliance history? ..... NA
If YES, give a detailed description of the review results in the Project Overview.

PROJECT OVERVIEW

The City of Farmers Branch operates the Camelot MSW landfil (LF)l located in Lewisville, Denton County Texas. Camelot currently operates under MSW Permit # 1322A and GOP# O-02376.

Camelot MSWLF is proposing to register the landfill operations, LF fugitive emissions, one-2,000 gallon diesel fuel tank and one-300 gallon diesel tank. Camelot MSWFL is located in Denton County, which is classified as serious ozone nonattainment. Due to unknown amounts of sulfur and chlorine compounds which may be present in future LF gas, Camelot is requesting authorization of a flare as a pollution control project under permit # 75222, because the SOS2 and HCL limits on flares under 116.621 requires compliance to 106.492.

PROJECT HIGHLIGHTS

Current Information shows Design Capacity of 10.80 MMg and a NMOC calculated emission rate of 47.40Mg/yr based on Tier II test report dated 2/21/03 with NMOC measured at 211.90 ppmv. Report could not be located in files. This permit application shows a new design capacity of 13.81 Mg/yr.

- Site's Landfill Gas Collection and Control System (GCCS) is in place, but it has not triggered 50 Mg/yr NSPS WWW requirement to date.
- FL type shows as no co-disposal of class I waste
- LandGEN program estimates methane for year 2016 at 21,300 Mg/yr (31,920,000 m3/yr)and NMOC at 43.39 Mg/yr.
- Denton is in an Non-Attainment county, so Non-Attainment limits of 50 tpy of VOC apply, site in not major so 5 tpy netting trigger does not apply. Site does not exceed these limits.
- LF is not one the 28 names sources, and emissions are below PSD trigger levels. LF is not a major source or major modification.
- LF satisfies 116.610 requirements, and is subject to NSPS WWW, NESHAPS M, MACT, A & AAAA, as applicable.
- AP42 guidance is used for LFG calculations and chapters 11 and 13 for LF operations, and TANKS 4.0 for tank emissions.

LF Standard Permit 116.621 Requirements

(1) LF satisfies 116.610, 611, 615.
(2)(A) Industrial solid waste solidification/stabilization is nor conducted at this site.
(2)(B) No outdoor burning will be conducted at this site.
(2)(C) No waste incineration at this site.
(2)(D) No LF cells permitted to accept regulated quantities of hazardous waste and has no co-disposal of class I waste (low measured NMOC of 211.90 ppmv versus the EPA default of 2420 ppmv for co-disposal sites.).
(2)(E) Site Does Not have a Passive LF GCCS.
(2)(F) LF not affected source and is not a major source or modifications
(3) Initial Design Capacity Report received on 5/17/1999 per 40CFR§60.757(a)(2). Current DC is 13.81 Mg, report not located in files to date.
(4) Camelot will comply with NSPS WWW
(4)(A) LFGCCS will conform to .§60.759
(4)(B) FG gas will be routed to flare permitted under # 75222
(5) Camelot will monitor and comply with PM requirements by watering and treating with dust suppressant chemicals.
(6) NA unless requested by TECQ ED
(7) VOC emissions less than 10 tpy, so (7) does not apply.
(8) Camelot will maintain records to demonstrate compliance.

Estimated Emission Rates until year 2016

Emission Point	Air Contaminant	Max Emission rate - lbs/hr	tons/year
Landfill Fugitives	VOC	4.26	18.65
	HAPS	2.07	9.08
Landfill Cell const/fill	PM	14.62	3.34
Tank1D	VOC	0.0003	0.001
Tank2D	VOC	0.00004	0.0002

NOTIFICATION

Copy of PI1-S sent to:
Region: 4
Local-city: ..... Farmers Branch
County: ..... N/A

PERMIT FEE

Franchise tax current? ..... N/A
Fee paid? Check # 2541 dated 03/07/2005 ..... $900.00

IMS AND FILE ENTRIES

IMS entries updated? .....
Copy of cover letter and tech review made for the appropriate permit files? .....
Permit No.(s)

	Technical Reviewer	Peer Review	Team Leader/Manager
Signature:			
Printed Name	Mr. Jon Edwards, PE	*Mr. John C. Gott, PE*	*Mr. John C. Gott, PE*
Date:	03/29/2005	03/29/2005	03/29/2005
Points:	2.0	2.0	2.0

Sup points
Mgr points

Section 1 - Document

January 26, 2012

MR MARK PAVAGEAUX

DIRECTOR OF PUBLIC WORKS

CITY OF FARMSERS BRANCH

PO BOX 819010

FARMERS BRANCH TEXAS 75381-9010

Re: General Operating Permit Number: O2376, Renewal Date: January 26, 2017

Landfill Permit Number: MSW-1312A

Camelot Landfill

Lewisville, Denton County

Regulated Entity Number: RN101479038

Customer Reference Number:

Account Number: DF-0541-K

Dear Mr. Pavageaux. :

This is in response to your renewal application Certification Form received on October 18, 2011, regarding the Camelot Landfill located at, 580 Huffines Boulevard, Lewisville, Denton County, Texas. After evaluation of your renewal General Operating Permit Application and Certification Form, we have determined that your site qualifies for Municipal Solid Waste General Operating Permit (GOP) Number 517, if operated as represented in your application. From the date of this letter the site referenced above must operate in accordance with the requirements of Title 30 Texas Administrative Code Chapter 122 (30 TAC § 122, including the permit conditions contained in 30 TAC §§ 122.143-122.146). The permit holder must submit an updated application to the executive director for changes according to 30 TAC § 122.504.

As of July 1, 2008, all analytical data generated by a mobile or stationary laboratory in support of compliance with air permits must be obtained from a NELAC (National Environmental Laboratory

Accreditation Conference) accredited laboratory under the Texas Laboratory Accreditation Program or meet one of several exemptions. Specific information concerning which laboratories must be accredited and which are exempt may be found in 30 TAC §§ 25.4 and 25.6.

For additional information regarding the laboratory accreditation program and a list of accredited laboratories and their fields of accreditation, please see the following Web site:

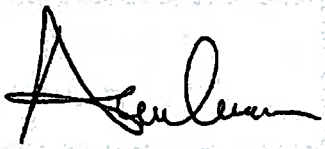
http://www.tceq.state.tx.us/compliance/compliance_support/qa/env_lab_accreditation.html

For questions regarding the accreditation program, you may contact the Texas Laboratory Accreditation Program at (512) 239-3754 or by email at labprgms@tceq.state.tx.us.

The company is also reminded that these facilities may be subject to and must comply with other state and federal air quality requirements. If you have questions, please contact Ms. Amanda Berry at (512) 239-5708.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,



Anne M. Inman, P.E., Manager

Rule Registrations Section

Air Permits Division

Texas Commission on Environmental Quality

cc: Assistant City Manager, City Manager's Office, City of Lewisville, Lewisville

Air Section Manager, Region 4 - Fort Worth

Title V Project Number: 17036

Headers

Bryan W. Shaw, Ph.D., *Chairman*

Buddy Garcia, *Commissioner*

Carlos Rubinstein, *Commissioner*

Mark R. Vickery, P.G., *Executive Director*

Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

Mr. Mark Pavageaux, P.E.

Page

January 26, 2012

Re: General Operation Permit O2376

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GENERAL INFORMATION			
Regulated Entity No.:	RN101479038	Project Type:	Renewal
Customer Reference No.:	CN600131676	Date Received by TCEQ:	October 18, 2011
Account No.:	DF-0541-K	Date Received by Reviewer:	October 31, 2011
City/County:	Lewisville, Denton	Physical Location:	580 Huffines Boulevard

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Mark Pavageaux, PE Director of Public Works	Phone No.: Fax No.:	(972)919-2601	Email:	Mark.pavageaux@farmersbranch.info
Technical Contact/ Consultant Name and Title:	Mr. Archana Nagaraj Air Quality Manager	Phone No.: Fax No.:		Email:	anagaraj@weaverboos.com

DESCRIBE OVERALL PROCESS AT THE SITE

The City of Farmers Branch submitted a renewal application to operate the Camelot Landfill (MSW-1312A) under the Title V General Operating Permit #02376. The site is a Type I Municipal Solid Waste (MSW) Landfill (since 1979). The existing 2,000 gallon diesel fuel tank, 300 gallon diesel fuel tank, and landfill fugitive emissions are authorized by MSW Standard Permit 75220 (30 TAC Chapter 116.621). An existing gas collection and control system, a vacuum blower, and two flares were authorized separately under Pollution Control Project (PCP) Standard Permit 75222 because the company was unsure of the content of sulfur and chlorine that may be present in future landfill gas and 30 TAC Chapter 116.621 would have limited SO_2 and HCl emissions to the requirements of 106.492. Leachate activities are conducted at the site and there is an existing leachate storage tank. The landfill has previously accepted asbestos and is permitted to accept it in the future.

The Camelot Landfill is an existing source with estimated emissions of 424,577 tons C02e per year, of GHG pollutants excluding biogenic carbon dioxide. The GHG emissions are calculated at the projected capacity in 2015 without control, but including the combustion of 4,000 scfm of landfill gas by flares. However, based on the GHG emission calculations, excluding fugitive emissions, the Camelot Landfill is an existing minor source for the purposes of 40 CFR Part 70/71 Title V and Part 5 1/52 PSD permitting programs.

At the time of the submission of this application, there are no additional federal regulatory requirements applicable to GHG emissions from the Camelot Landfill and covered by Title V Permit Program authority. Federal GHG Mandatory Reporting Rule requirements published at 40 CFR 98 were enacted under sections 1 14(a)(l) and 208 of the Clean Air Act and, as such, are not included in the definition of "applicable requirements", as found at 40 CFR 70.2 and 71.2, to be included in a Title V Permit (See also, 74 FR 209 page 56,288).

COMPLETE EACH SECTION AS APPROPRIATE FOR THE AIR AUTHORIZATIONS AFFECTED BY THIS REVIEW

GENERAL INFOMRATION	YES	NO	COMMENTS
Is confidential information included in the application?		X	
MSW permit number			1312A
What air authorization is currently being used for the site? • Old Standard Exemption (registered or unregistered) • PBR (registered or unregistered) • Standard Permit • New Source Review (NSR) permit under §116.110 • Title V GOP • Title V SOP			SP 75220 PCP 75222 GOP 02376 Unregistered PBR 106.472 and 106.473
Are there any Permits by Rule, Standard Exemptions, Standard Permits, NSR permits, or Title V permits to be voided in the IMS database as a result of this Standard Permit Certification?		X	The company is not consolidating the NSR authorizations for the site under 30 TAC Chapter 330, Subchapter U at this time because MSW Standard Permit 75220 does not expire until 03/31/15
Are all related projects included in this review?	X		
Is this registration for a MSWLF (landfill) only?	X		
Is this registration for a TS (transfer station) only?		X	

10/30/2012

40 CFR PART 60 NSPS WWW COMPLIANCE CHECK	YES	NO	COMMENTS
Does NSPS WWW trigger requirements at the site? Note: The following three questions must be answered first.		X	The landfill has not been constructed, reconstructed, or modified after May 30, 1991
MSWLF or TS capacity			13.8 MMg and 31.9 Mm^3
What are the uncontrolled NMOC emissions from the site?			The estimated NMOC emissions from the site are less than 50 Mg/yr, therefore is not currently required to install and operate a gas collection and control system.
Has the landfill been constructed, reconstructed, or modified after May 30, 1991?		X	The landfill was last modified on 03/03/81.
Is the 40 CFR NSPS § 60, Subpart WWW checklist included in the application?	X		
Has NSPS WWW Tier 2 testing been performed at the site?	X		NMOC emission rate is 37.75 Mg/yr based on Tier 2 Method
Does the landfill have a gas collection and control system (GCCS)?	X		
Has the TCEQ approved the design for the GCCS?		X	NA – not required to install and operate a gas collection and control system
Does the MSWLF use or have applied for an Alternate Means of Control (AMOC) for GCCS controls?		X	
Is the MSWLF site an "existing" landfill subject to § 113, Subchapter D (constructed, modified or reconstructed before May 30, 1991)?	X		The landfill has not been constructed, reconstructed, or modified after May 30, 1991. The company represents that the landfill will meet all applicable technical requirements of NSPS WWW.

GENERAL OPERATING PERMIT 517 CHECKLIST	YES	NO	COMMENTS
To comply with 30 TAC § 60(a) has the APD reviewer checked the compliance history for this RN?			Date checked: January 23, 2012
Site Rating & Classification			Site Rating: _0.08__ Classification: _High__
Company Rating & Classification			Company Rating: 2.57__ Classification: _Average__
Compliance History Dates			From: 8/31/11 to: 9/30/06
If the site is classified as "Poor" or "Repeat Violator," contact your Team Leader for guidance before proceeding.			NA
Are there any enforcement actions in the CCEDS data base?		X	
Is the permit recommended for denial based on the Compliance History?		X	
Has the permit changed on the basis of the Compliance History?		X	
Is the site applicable to NSPS WWW requirements (see above)?	X		
Is any air contaminant ≥ 100 tons per year?	X		CO - 194.67 tpy
Does NESHAP Part 63, Subpart AAAA apply to this site and is the NSPS WWW checklist attached?		X	NMCO emissions are less than 50 Mg/yr, and the site does not include a bioreactor.
Is the GOP 517 Applicability Checklist attached?	X		
Are checklists attached for all units (facilities) at the site?	X		
Do the units listed at the site match the attached checklist(s)?	X		
Is the GOP Application/Certification Form complete and signed?	X		
For a GOP Initial Issuance or Renewal has the Legislator Notification letter (IS-3) been sent?	X		Date sent: October 20, 2012
Additional comments by the reviewer.		X	

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			See Hard Copy
PRINTED NAME:	Ms. Amanda Berry	Ms. Sherrie McGowan	Ms. Anne M. Inman, P.E., Manager
DATE:	January 23, 2012	January 25, 2012	

BASIS OF PROJECT POINTS	POINTS
Base Points: GOP Renewal	2.0
Project Complexity Description and Points: Compliance History	0.25
Technical Reviewer Project Points Assessment:	2.25
Final Reviewer Project Points Confirmation:	

10/30/2012

Headers

TECHNICAL REVIEW: MUNICIPAL SOLID WASTE LANDFILLS (MSWLF) and TRANSFER STATIONS (TS)

GOP Permit No.:	O2376	*Company Name:*	City of Farmers Branch	*APD Reviewer:*	Ms. Amanda Berry
GOP Project No.:	17036	*Site/Area Name:*	Camelot Landfill / Camelot Landfill	*GOP No.:*	517

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