



# Traditional Municipal Solid Waste Disposal: A Guide for Local Governments

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## Who Should Use This Guide?

This document is intended to help local officials and governments understand and comply with the rules on landfills and management of municipal solid waste (MSW), and the associated authorizations, reports, and fees. This publication is not a substitute for the actual rules.

## Authorities and Regulations

Texas has been authorized by the U.S. Environmental Protection Agency to manage its MSW program. Texas statutes are consistent with the federal rules, but MSW in Texas is managed specifically in accordance with Title 30, Texas Administrative Code, Chapter 330 (30 TAC 330) and Title 5, Texas Health and Safety Code, Chapters 361 and 363. Municipal solid waste is defined in 30 TAC 330.3(88) as:

Solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

Other rules for MSW in Texas are found in 30 TAC 332 (for composting) and 30 TAC 328 (for recycling). You can obtain the most current, official copy of state rules by contacting the Secretary of State's office, at 512-305-9623, or visiting our website, at <[www.tceq.state.tx.us/goto/rules-pdf](http://www.tceq.state.tx.us/goto/rules-pdf)>.

Your local city and county authorities may also have regulations that affect your facility's waste management operations. Contact your local government to determine if your operations are authorized.

The federal rules for MSW are contained in Title 40, Code of Federal Regulations, Parts 257 and 258. These rules can be obtained by contacting the U.S. Government Printing Office at 866-512-1800, or by visiting the GPO website, at <[www.ecfr.gov](http://www.ecfr.gov)>.

## Traditional Waste Management—Landfills

The traditional waste-management solution is the landfill. A local government must determine which kinds of landfill and which procedures for the collection, transportation, consolidation, and disposal of waste are appropriate for its community. From collection to disposal in a landfill, each phase has a number of rules that apply.

## **Types of Landfills**

### **Type I and IV Landfills**

(30 TAC 330.5)

Type I landfills are the standard and most common landfills for the disposal of routine MSW in Texas. They may accept most types of household and putrescible waste. Type IV landfills may accept brush, construction and demolition waste, and rubbish, but may not accept household or putrescible waste. Household waste is defined as:

Any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas); does not include brush.

[30 TAC 330.3(64)]

Putrescible waste is defined as:

Organic wastes, such as garbage, wastewater treatment plant sludge, and grease trap waste, that are capable of being decomposed by microorganisms with sufficient rapidity as to cause odors or gases or are capable of providing food for or attracting birds, animals, and disease vectors. [30 TAC 330.3(119)]

### **Arid Exempt Landfills**

(30 TAC 330.5)

In the case of small municipal governments in arid areas of the state, the TCEQ may authorize *arid exempt landfills*, which are generally exempt from regulations on liners and groundwater monitoring in 30 TAC 330, Subchapters H and J. To operate as an arid exempt landfill, the facility must first be authorized by the TCEQ in accordance with 30 TAC 330.5(b). To qualify as such, an arid-exempt (AE) landfill must:

- Accept less than 20 tons per day, based on an annual average of authorized waste in either a Type I-AE or Type IV-AE landfill unit (a discrete area of land or excavation that receives waste). A facility with both unit types may have a total waste acceptance of 40 tons per day.
- Serve a community that has no practical alternative for waste management.
- Be in an area that receives no more than 25 inches of annual average precipitation based on data from the nearest official recording station for the most recent 30-year reporting period.

## ***Initial Collection***

(30 TAC 330, Subchapter C)

Collection of MSW is regulated by 30 TAC 330, Subchapter C. To minimize odors and nuisance conditions, waste that contains putrescible material must be collected at least weekly. All collection vehicles must be built, operated, and maintained to prevent loss of waste, whether liquid or solid; minimize health and safety hazards; and preclude odors and fly breeding.

Waste collection is usually the largest portion of an MSW budget. To help local governments increase the efficiency of waste collection and thereby lower its costs, the EPA prepared the guidance document *Getting More for Less: Improving Collection Efficiency* (EPA 530-R-99-038). EPA publications on waste can be found at [www.epa.gov/wastes/inforesources/pubs/](http://www.epa.gov/wastes/inforesources/pubs/). Some of the principal methods for cutting costs are changing the frequency of collections, improving routing, and using automated equipment.

## ***Transportation***

(30 TAC 330, Subchapter C)

MSW transporters are regulated by 30 TAC 330, Subchapter C. It is the transporter's responsibility to ensure that waste is delivered to a facility that is authorized to accept that type of waste. Transporters must maintain records for a minimum of three years, which documents that each load of waste was taken to an authorized MSW facility. In addition, if a discharge of waste occurs during transport, the waste hauler must take immediate action to contain the waste and deliver it to an authorized facility.

## ***Consolidation***

(30 TAC 330, Subchapters A and E)

Consolidation of waste is an interim waste-management solution for lowering operational costs. Money is saved by storing waste at a facility before transporting it to its final disposal destination. A few large-volume trucks then take the waste to the final disposal facility, rather than numerous small trucks traveling the distance—saving both fuel and labor.

There are various consolidation options, including transfer stations and citizen collection stations. Depending on size of the population served or the volume of waste handled, your facility may require authorization from the TCEQ, ranging from notification to permit. Authorization requirements for each consolidation option are covered later in this document.

In areas of the state that are underserved by waste-collection services or do not have access to proper disposal facilities, funds may be available to study the feasibility of a waste consolidation facility. Contact your local council of governments (COG) to determine whether there are grants available for this kind of study.

### **Transfer Stations**

A *transfer station* is defined at 30 TAC 330.3(157) as:

A facility used for transferring solid waste from collection vehicles to long-haul vehicles (one transportation unit to another transportation unit). It is not a storage facility such as one where individual residents can dispose of their wastes in bulk storage containers that are serviced by collection vehicles.

Transfer facilities offer an alternative when the landfill is so far away that it is not economical for each waste-collection vehicle to make round trips. Transfer stations allow local waste haulers to temporarily store waste and then use large-volume trucks to haul waste to the distant landfill.

Though transfer stations save money, they have their own operating expenses. It is important to determine whether a transfer facility would be cost effective. The EPA's *Waste Transfer Station: A Manual for Decision Making* (EPA 530-R-02-002) can help local governments with cost analysis.

Operating a transfer station typically requires a registration or a permit. However, small communities may be able to establish low-volume transfer stations with just a notification. To qualify for this type of authorization, the community must control the facility, comply with local ordinances, notify adjacent landowners, and haul collected waste to a final disposal facility at least weekly. A low-volume transfer station may store, at most, 40 cubic yards of waste.

To start a low-volume transfer station, a local government must submit a Notice of Intent to Operate a Low-Volume Transfer Station (Form TCEQ-20370). TCEQ forms can be found at [www.tceq.texas.gov/search\\_forms.html](http://www.tceq.texas.gov/search_forms.html).

Transfer stations that cannot meet the 40-cubic-yard limit will have to obtain either a registration or a permit. To be eligible for registration as a transfer station, the facility must meet one of the following criteria:

- It serves a municipality with a population of fewer than 50,000.
- It serves a county with a population of fewer than 85,000.

- It transfers or proposes to transfer no more than 125 tons per day of MSW.
- It is within the permitted boundaries of an MSW Type I or Type IV facility.

If none of these criteria can be met, a permit is required.

All transfer stations must follow the operating procedures outlined in 30 TAC 330, Subchapter E, which include, but are not limited to, recordkeeping, safety procedures, and maintaining sanitary conditions. Templates for the preparation of site operating plans for a transfer station can be found on the TCEQ's website, at <[www.tceq.state.tx.us/goto/msw\\_sop](http://www.tceq.state.tx.us/goto/msw_sop)>. Transfer facilities are also required to submit annual reports on the volume of waste accepted. See the “[Reports](#)” section of this document, under “Additional Requirements.”

### **Citizen Collection Stations**

A second waste-consolidation option, used when door-to-door waste pickup service is not cost effective, is a citizen collection station (CCS). CCSs are temporary holding facilities where residents can take their household waste for storage until it can be transported to an MSW disposal facility. The collection facility should be located in an area that is convenient and easily accessible. It gives a community the ability to conveniently and legally dispose of household waste.

CCSs are regulated by 30 TAC 330.11(e) and 330.213. If your local government would like to establish a citizen collection facility, it must submit a Notice of Intent to Operate a Citizen's Collection Station (Form TCEQ-20429, available at <[www.tceq.texas.gov/search\\_forms.html](http://www.tceq.texas.gov/search_forms.html)>). The containers provided at the facility should be compatible with the type and quantity of household waste accepted. To prevent illegal dumping, you should post rules governing the use of the CCS facility (including who may use it and what may or may not be deposited), collect waste on a scheduled basis, and—if possible—have an on-site operator supervising the facility. CCSs must follow the same standards as landfills for safety, prevention of scavenging, and control of litter and odor.

## ***Operations***

(30 TAC 330, Subchapter D)

All registered or permitted MSW disposal facilities must follow the site operating plan (SOP) designed and approved specifically for that site. The SOP describes the day-to-day procedures for facility operations. You can find a few of the key elements for an SOP below.

## Unloading

It is the generator's responsibility not to send unauthorized material to a landfill for disposal, and it is the landfill operator's responsibility to prevent the disposal of unauthorized waste or disposal in the wrong location. It is imperative that a trained operator visually screen all collected and unloaded waste to prevent disposal of unauthorized material. Unloading should be confined to as small an area as practical, and the facility's SOP should define the maximum size and number of unloading areas.

The operator must:

- reject unauthorized waste
- arrange to have unauthorized material removed by the generator or transporter
- maintain the facility's operating records of visual load inspections and rejected materials
- list unauthorized materials
  - on signs posted at the entrance
  - on bills
  - on fliers handed out to haulers at the gate

## Daily Cover

To control disease and nuisance conditions, it is critical to control odors with daily cover. Waste must be covered at least daily in Type I and Type I-AE facilities, and weekly in Type IV and Type IV-AE facilities. If the facility would like to use an alternative daily cover, it must secure approval from the TCEQ in accordance with 30 TAC 330.165. For more information about alternative daily covers, contact the Waste Permits Division at 512-239-2335.

## Preventing Nuisance Conditions

Ponding of water over waste or cover, windblown litter or waste, and scavenging must be managed to prevent nuisance conditions. Pondered water must be removed, and the surface filled in and re-graded within seven days of the occurrence. When the facility is operating, windblown solid waste must be removed daily from around the site, along fences and access roads, at the gate, and along any public roads connected to the facility's entrances (at a minimum, two miles in either direction from the entrances). To help prevent scavenging, the perimeter of the site must be controlled by means of artificial barriers, natural barriers, or a combination of the two.

## Special Waste

Facilities operating in compliance with Chapter 330 may obtain authorization to accept some special wastes not specifically identified in 330.171(c). Special waste approvals will be waste-specific or site-specific. To receive authorization for a waste that your permit does not currently allow in accordance with 30 TAC 330.171(b), contact the TCEQ. Additional information is available in *Special Waste Regulations in Texas* (TCEQ publication RG-029).

*Note:* Certain waste streams are prohibited from MSW facilities. See 30 TAC 330.15 for a comprehensive list.

## Cleaning Up Your Community

Every community deals with waste beyond everyday household waste. These other waste streams can be offensive to the senses, as well as take up limited landfill space. Local governments can take a proactive approach to managing these wastes—planning saves both labor and landfill capacity.

As you develop your recycling or disposal strategy, you can determine whether your cleanup will generate revenue or cost money. If your cleanup is not properly budgeted, your local government may be stuck with materials that it cannot properly dispose of or recycle. Stockpiling materials without the prospect of recycling them could be considered *abandonment*, plus it increases your risk of creating nuisance conditions.

### ***Waste from Disposal of Nuisance and Abandoned Buildings***

[30 TAC 330.7(i)]

Counties or municipalities with 12,000 or fewer people may obtain a permit by rule (PBR) to dispose of demolition waste from properties with nuisance or abandoned buildings. The PBR applies to buildings that have been acquired by a county or municipality by bankruptcy, tax delinquency, or condemnation. Disposal can only occur on land that is owned or controlled by the county or municipality, and that receives 25 inches average annual rainfall or less.

To claim this PBR, contact the MSW Permits Section for a simple application form. You must submit the form to the TCEQ, and the agency must acknowledge receipt, before you begin construction of the disposal site. The complete rules appear in 30 TAC 330.7(i).

For more information or help with claiming this PBR, call the TCEQ's MSW Permits Section at 512-239-2335 or the TCEQ's Small Business and Local Government Assistance section at 800-447-2827.

## ***Special Collection Days***

If your community would like to hold a special collection day for residents that deters illegal dumping and beautifies the community, preparation is key. To have a successful event, you must plan each component of the cleanup—from acceptance to final disposal—well in advance.

A permit, registration, notification, or other authorization is not required for a collection point for wastes collected and received in sealed plastic bags from such activities as periodic citywide cleanup campaigns and cleanup of rights-of-way or roadside parks.

One of the major priorities of a public collection event is to arrange for final disposal of every waste stream before the collection date. If waste remains at the collection area for an extended period of time, it creates an “out-of-sight, out-of-mind” mentality and promotes illegal dumping. Ideally, all wastes should be removed immediately following the event or as soon as possible to avoid the creation and maintenance of a nuisance, or the endangerment of human health or the environment. Options for final disposal include recycling, composting, and using landfills. With each option, you should consider several basic questions:

### **Recycling**

- What materials do we want to recycle?
- Who accepts these materials for recycling?
- Is more than one recycling company required to meet the needs of our cleanup?
- Are these companies reputable and reliable?

### **Composting and mulching**

- Is there a demand for compost or mulch?
- Where will we store the processed and unprocessed material?
- Should we hire a company to compost or mulch the materials that are collected?
- Will we use our own equipment and workforce to process materials?
- Should we promote household composting at the event? (If so, see the TCEQ's *Mulching and Composting* [GI-036], available at [www.tceq.texas.gov/publications/search\\_pubs.html](http://www.tceq.texas.gov/publications/search_pubs.html) >.)

## Using landfills

- What waste does the landfill accept?
- Does the landfill have the available capacity?

## General

- What wastes will not be accepted during the collection?
- How will we prevent dumping of unaccepted waste?
- If unacceptable waste is found, how will we dispose of it?
- What is our plan to prevent and, if necessary, contain spills?
- Is TCEQ authorization required for the collection?

## ***Collection Days for Household Hazardous Waste***

(30 TAC 335, Subchapter N)

Often, residents store household hazardous waste (HHW) because they are unsure of how to properly dispose of it. Although HHW can usually be legally disposed of in the normal trash, there are better disposal options that local governments can arrange. For more information, contact the TCEQ's Pollution Prevention and Education Section at 512-239-3100.

## Operational Plan

An HHW collection requires more time to plan than other types of collection events. The TCEQ requires notification and development of an operational plan in accordance with 30 TAC 335, Subchapter N.

To hold an HHW collection, you must:

- Complete the notification no later than 45 days before the collection date.
- Develop and address in your operational plan all the components identified in 30 TAC 335, Subchapter N.
- Make your operational plan readily available upon request by the TCEQ.
- Include the following key components—along with other appropriate measures—in your operational plan:
  - safety measures
  - training about collection for employees or volunteers
  - a determination of the types and amounts of waste expected
  - arrangements for the proper disposal of all the wastes collected

Contact the TCEQ's Pollution Prevention and Education Section at 512-239-3100 for a list of companies that conduct HHW collections and that package, transport, and dispose of hazardous waste. You can also

arrange for other HHW programs in the area to take the wastes from your collection. The contact information for these programs is available from the Pollution Prevention and Education Section or online at [www.tceq.texas.gov/goto/hhw-contacts](http://www.tceq.texas.gov/goto/hhw-contacts).

## ***Agricultural Waste Pesticides***

Improper disposal of waste pesticide can have serious adverse effects on the environment, such as groundwater contamination. Take special care to recycle or properly dispose of all pesticides.

### **Empty Plastic Pesticide Containers**

Plastic pesticide containers that have been triple rinsed or pressure washed and rendered unusable are not considered hazardous waste, and can be disposed of in an MSW facility that is permitted to accept this special waste. Not all landfills choose to accept pesticide containers, however, even if the containers have been properly rinsed, and the landfills that do accept them usually charge a fee. Instead of disposing of these containers, consider recycling them. For more information, see USAg Recycling, at [www.usagreycling.com](http://www.usagreycling.com).

## ***Storm Debris***

At one time or another, every local government will be faced with managing debris caused by tornadoes, hurricanes, hail, or winds. If improperly managed, the cleanup and removal of storm debris can unnecessarily cost thousands of dollars in transportation charges and disposal fees alone. **Table 1** (under “Options for Material Diversion,” below), lists options for recycling different materials.

In general, outdoor burning is prohibited in Texas. If your local government would like an exception, you will need to meet specific requirements and obtain approval from the appropriate TCEQ regional office **before** doing any burning. You will also need to check local ordinances or other regulations about outdoor burning. If there is a burn ban in your county, the TCEQ will not approve any exception to the rule. For additional information concerning outdoor burning in Texas, including a copy of the rule, consult the TCEQ’s *Outdoor Burning in Texas* (Pub. No. RG-049).

*Note:* It is strictly prohibited to burn any electrical insulation, treated lumber, plastics, non-wooden construction or demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, or items that contain natural or synthetic rubber (such as tires).

## Planning for the Inevitable

Initiate and design a plan that fits your specific area. Texas is a big state; some options may not be practical for all areas. You should develop a plan for the transport, storage, processing, and disposal of various forms of storm debris. This should include identification of suitable sites to temporarily store, segregate, or process large amounts of debris following a disaster. You should consider requesting that residents set appliances, household hazardous waste, brush, construction debris, and putrescible wastes in separate piles for pickup after a storm. Tell contract haulers to maintain separation of materials during the collection, transport, and storage of storm debris to maximize your options for recycling waste and minimize waste-disposal costs. Before designing your plan, you should consider the following:

### Available landfill space

- Where is the closest landfill?
- What is its disposal capacity?
- What types of waste does it accept?

### Recycling options

- What recycling options are available in or near the area?
- What do we need to do to make certain that materials are adaptable for recycling?
- Which specific materials are not recyclable in this area?

### Labor resources (*available workforce*)

- Are there labor sources in the city or county?
- Are there optional labor sources (such as prison or jail inmates) in the area?
- Is it possible to recruit volunteers from the community?

### Available equipment (*hauling trucks, loaders, chippers, grinders, storage trailers*)

- What equipment is available for cleaning up storm debris?
- Is there access to chippers and grinders?
- Can we borrow equipment from surrounding communities?
- Can we establish a memorandum of understanding for mutual aid with neighboring communities?

Available storage locations

- Where could source-separated materials (those sorted at their origin) be temporarily stored?
- Do storage areas have adequate space for processing source-separated materials if required?

In an emergency, recycling is not always the most time-efficient way to manage storm debris, but if you prepare in advance, you will most likely make after-storm cleanup a more cost-effective, manageable experience.

### ***Preventing Illegal Dumping***

Many communities across Texas are facing problems with illegal dumping. Not only is it offensive to the senses, it can drain local government resources. The city or county often becomes responsible for the collection and disposal of the trash left at an illegal dump site. The labor and disposal costs associated with these sites can eat away at a local government's budget. To help combat illegal dumping in your community, see the TCEQ's *Prevent Illegal Dumping: A Guide for Local Governments* (RG-455).

### ***Don't Mess with Texas Water***

The Don't Mess with Texas Water program offers local governments another tool to help prevent illegal dumping. The TCEQ, Texas Department of Transportation, and participating communities are working together to place signs on major highway water crossings that notify drivers of a toll-free number to call to report illegal dumping.

The TCEQ forwards calls from the toll-free number to the appropriate law-enforcement agency to handle complaints of illegal dumping in a participating area.

For more information on the program or to find out how your community can participate, visit our Web page at <[www.tceq.texas.gov/goto/dumpreport](http://www.tceq.texas.gov/goto/dumpreport)>.

### ***Options for Material Diversion***

Once waste is collected, separating sources of waste is critical to the success of any cleanup activity. Depending on your area and the options available, separating materials at the time of the cleanup can save you hundreds or even thousands of dollars. For recycling services in your area, visit Earth 911's recycling website at <[earth911.org/recycling](http://earth911.org/recycling)>. Below are some ideas for managing recyclable waste.

**Table 1. Options for Material Diversion**

<i>Material</i>	<i>Option</i>	<i>Benefits</i>
Chipped wood: Clean, untreated lumber, wooden shingles, tree limbs, brush	Mulch	Prevents soil erosion, controls weeds, retains soil moisture, protects plants, adds nutrients to the soil
Wood shavings, cardboard, paper	Use in compost	Adds nutrients to the soil, prevents runoff, protects plants from diseases and pests, retains soil moisture
Appliances (white goods)	Recycle	Conserves landfill space and natural resources
Metal: Signs, poles, sheet metal, mobile home frames, bicycles, swing sets, trampolines	Recycle	Conserves landfill space and natural resources
Cinder block, concrete, brick, glass	Recycle	Conserves landfill space and natural resources
Electronic equipment	Recycle	Best management practice to prevent groundwater contamination
Glass	Recycle	Conserves landfill space and natural resources
Plastics	Recycle	Conserves landfill space and natural resources

## Additional Requirements for MSW Facilities

### *Supervisor or Manager*

According to 30 TAC 30, Subchapters A and F, all MSW facilities that require a permit or registration must employ at least one licensed person to supervise or manage the facility. The license requirements for the various types of facilities are as outlined in [Table 2](#).

Unless otherwise specified in their permit, all MSW facilities must have a supervisor who holds the license level indicated in [Table 2](#). Provisional licenses are valid for two years and may not be renewed. Any missing requirements must be completed before the standard license can be obtained.

**Table 2. Licenses Required for Different Facilities**

<b><i>Type of MSW Facility</i></b>	<b>Level of License Required</b>
All landfill facilities <sup>a</sup> and Type IX landfill mining facilities	Class A
Type V storage or processing facilities not otherwise specified, Type IX energy or material-recovery facilities, Type VI demonstration facilities, and permitted or registered compost facilities	Class A or Class B

<sup>a</sup>Landfill facilities include these types of landfills:

Type I  
 Type I-AE  
 Type IV  
 Type IV-AE

The following are exempt from the supervisor license requirement:

- Type IX beneficial landfill gas-recovery facilities
- Animal crematories, dual-chamber incinerators, and air-curtain incinerators operating in accordance with an MSW PBR
- MSW facilities exempt from permitting or registration
- Nuisance and abandoned buildings
- demolition waste disposal sites.

*The TCEQ will administer field citations to facilities that do not have the required licensed supervisor or manager.*

## ***Financial Assurance***

(30 TAC 330, Subchapter L, and 30 TAC 37, Subchapter R)

Most MSW facilities are required to demonstrate financial assurance for closure, post-closure, and corrective-action costs. They must be able to show that they are capable of paying the projected costs of closing the facility and the associated post-closure, as well as the costs of any required corrective action. The following mechanisms can be used to demonstrate financial assurance: a trust fund, a surety bond guaranteeing payment or performance, insurance, or a corporate financial test.

## ***Water Regulations***

### **Wastewater**

To protect the waters of the state, all MSW facilities must comply with the Texas Pollutant Discharge Elimination System (TPDES). Any liquids that the facility produces must be disposed of in a manner that will not cause surface water or groundwater pollution. You should determine how to handle any wastewater that your operation creates, such as vehicle wash water or water that has come into contact with waste. With the wastewater system's approval, your wastewater may be discharged to the local sanitary sewer. To discharge directly into the waters of Texas, your facility must have a TPDES permit.

### **Stormwater**

To prevent stormwater from being contaminated with solid waste, landfills must obtain a stormwater permit. You can get coverage through either the Multi-Sector General Permit No. TXR050000 or an individual permit. The application process for the general permit is much simpler, less expensive, and less time-consuming than that for an individual permit.

To apply for the general permit, you must:

- develop a Storm Water Pollution Prevention Plan (SWP3) and
- file the Notice of Intent (Form TCEQ-10382) with the TCEQ.

Templates to help you develop an SWP3 are available online at [www.tceq.texas.gov/assistance/water/sw-industrial.html](http://www.tceq.texas.gov/assistance/water/sw-industrial.html)

For assistance on obtaining coverage and meeting the requirements of the permit, contact the TCEQ's Small Business and Local Government Assistance Section at 800-447-2827.

## ***Air-Pollution Control***

### **Landfill Air Authorizations**

MSW facilities are required to have applicable air authorizations based on the activities at the site. There are three categories of air authorizations for MSW sites: permit by rule (PBR), standard permit, or a new source review case-by-case permit.

The simplest, least expensive, and least time-consuming air authorization to obtain is the PBR 106.534, Municipal Solid Waste Landfills and Transfer Stations. This air authorization is for cell (landfill-unit) construction and activities related to waste disposal; it is not intended for other activities. See

the section “[Additional Air Authorizations](#)” to find out if there are activities at your facility that require other air authorizations. When claiming a PBR 106.534 air authorization, your facility must follow the requirements in 30 TAC 106.534 and 30 TAC 330, Subchapter U.

If a landfill operation cannot meet the requirements of PBR 106.534, then the MSW air standard permit may be required. Depending on the level of activity at the landfill, a general operating permit may be required. To determine what level of permit is required for your facility, see the reference guide for reviewers of air permits, *Municipal Solid Waste Landfills (MSWLF) and Transfer Stations* (PDF), at [www.tceq.state.tx.us/goto/mswlf](http://www.tceq.state.tx.us/goto/mswlf).

### **Additional Air Authorizations**

MSW facilities using PBR 106.534 may conduct activities that require additional air authorizations. The most common PBRs and standard permits that MSW facilities obtain are:

- 106.181, Used-Oil Combustion Units
- 106.183, Boilers, Heaters, and Other Combustion Devices
- 106.261, Facilities (Emissions and Distance Limitations)
- 106.433, Surface Coat Facility
- 106.436, Auto Body Refinishing Facility
- 106.451, Wet Blast Cleaning
- 106.452, Dry Abrasive Cleaning
- 106.454, Degreasing Units
- 106.472, Organic and Inorganic Liquid Loading and Unloading
- 106.492, Flares
- 106.496, Air Curtain Incinerators
- 106.512, Stationary Engines and Turbines
- Standard Permit for Temporary Rock Crushers
- Standard Permit for Electric Generating Units

### **Reports**

(30 TAC 330.675)

The TCEQ requires reports from registered and permitted facilities that track the amounts and types of waste they store, treat, process, recover, recycle, or dispose of in the state, enabling the agency to equitably assess fees. In addition, the state tracks the available disposal capacity for future waste. It is important that the facility operator submit the required report by the due date. Late reports are sufficient cause for the TCEQ to revoke a permit or registration.

## Measuring Waste

To accurately record waste for reporting to the agency, the facility must measure or weigh waste received at the gate, prior to disposal or processing. For quarterly reporting, the waste accepted is reported as it was recorded at the gate, whether compacted/uncompacted tons or compacted/uncompacted cubic yards. For annual reporting, the total waste accepted must be reported in tons; if you use volumetric measurements in your facility's records, you can convert them to short tons.

## Small Community Equivalent Factor

If your landfill or transfer station serves fewer than 5,000 people, you may use a population-equivalent factor instead of maintaining records of the actual amount of waste deposited. Under this system, the amount of waste is calculated as 1 ton per person a year. The report must document the population served by the facility and reflect any changes in population since the previous report.

## Quarterly Report

You must submit a quarterly solid-waste summary report to the TCEQ no later than 20 days following the end of each fiscal quarter. [Table 3](#) lists the due dates.

**Table 3. Due Dates for Quarterly Reports**

<i>Quarterly Report</i>	<i>Due Date</i>
1st Qtr (Sep–Nov)	Dec 20
2nd Qtr (Dec–Feb)	Mar 20
3rd Qtr (Mar–May)	Jun 20
4th Qtr (Jun–Aug)	Sep 20

## Annual Report

The operator must submit an annual summary of the yearly totals and the year-end status of the facility. An operator must file a separate report for each facility that has a unique permit or registration number. For more information on how to determine your year-end-status, refer to instructions and guidance for the MSW Annual Report at [www.tceq.texas.gov/assets/public/permitting/waste/msw/MSWAnnualRpt\\_Online\\_Instructions.pdf](http://www.tceq.texas.gov/assets/public/permitting/waste/msw/MSWAnnualRpt_Online_Instructions.pdf).

Operators of facilities such as transfer stations, shredders, balers, and methane extractors—also known as facilities not for disposal—must submit annual reports to the TCEQ. Online reporting is available or you

can submit a hard-copy report. For more information, go to [www.tceq.texas.gov/goto/msw-annual](http://www.tceq.texas.gov/goto/msw-annual).

## **Fees**

*(Texas Health and Safety Code 361.013)*

A collection fee is required for all solid waste disposed of within the state and from transporters who are required to register with the state. The amount may be raised or lowered in accordance with spending levels authorized by the Texas Legislature. The TCEQ calculates the fee using information from the facility's quarterly solid-waste summary reports. We will generate a billing statement quarterly and forward it to the applicable permittee or registrant. For additional information, see *Municipal Solid Waste Reporting and Disposal Fee (RG-289)*.

## **Statewide and Regional Planning**

Each council of governments develops a regional solid waste plan. The TCEQ aids the COGs in their efforts to ensure proper waste management by permitting and registering facilities, licensing operators, and requiring all registered or permitted facility operators to report the types and amounts of waste processed or disposed of at a facility. COGs can use the information reported to the TCEQ to monitor capacity in their regions.

### **COG Permit Review**

After the TCEQ conducts an administrative review of each MSW permit application, the application is forwarded to the appropriate COG for review. The COG's review considers the compatibility of the proposed facility with the region's MSW plan, along with the viability of the proposed facility and the need for it.

### **COG Solid Waste Grants**

As part of its waste planning efforts, the TCEQ administers a Regional Solid Waste Grants Program, which supports regional planning of solid-waste management by the state's 24 regional COGs, as well as a pass-through grant program administered by the COGs to fund regional and local solid-waste management projects. The COGs also use these funds to inventory closed MSW landfills.

## Inspections: What to Expect

To ensure compliance with MSW rules, inspections by a TCEQ representative are required. We conduct routine inspections on an established timeline using standardized checklists, and you can request a copy of the applicable checklist before the inspection. However, if there are consumer complaints, operational problems, or requests for assistance, or if the facility is an unsatisfactory performer, we may inspect more frequently.

Immediately after the inspection, the TCEQ investigator will go over the findings in an exit interview. Then you will receive from us one of three mailed letters: a compliance letter, if there were no violations found; a notice of violation (NOV) with a compliance schedule to resolve the violations; or a notice of enforcement, if violations are of a serious enough nature to warrant automatic enforcement.

We may begin formal enforcement if you have not resolved the violations after issuance of an NOV and you have not requested a justifiable extension. If you receive an NOV, be certain to respond in writing within the time stated in the letter, explaining your actions to resolve any violations, and including pictures if possible. Send the response “return receipt requested” to the regional office of the TCEQ, and keep a copy for your files.

For additional information on the inspection and enforcement process, see *The TCEQ Has Inspected Your Business: What Does This Mean to You?* (RG-344), or contact the Enforcement Division at 512-239-2545, or the Small Business and Local Government Assistance Section at 800-447-2827.

## Texas Councils of Governments

<b>Name</b>	<b>Abbrev.</b>	<b>Website</b>
Alamo Area Council of Governments	AACOG	<a href="http://www.aacog.com">www.aacog.com</a>
Ark-Tex Council of Governments	ARK-TEX	<a href="http://www.atcog.org">www.atcog.org</a>
Brazos Valley Council of Governments	BVCOG	<a href="http://www.bvcog.org">www.bvcog.org</a>
Capital Area Council of Governments	CAPCOG	<a href="http://www.capcog.org">www.capcog.org</a>
Central Texas Council of Governments	CTCOG	<a href="http://www.ctcog.org">www.ctcog.org</a>
Coastal Bend Council of Governments	CBCOG	<a href="http://cbcog98.org">cbcog98.org</a>
Concho Valley Council of Governments	CVCOG	<a href="http://www.cvcog.org">www.cvcog.org</a>
Deep East Texas Council of Governments	DETCOG	<a href="http://www.detcog.org">www.detcog.org</a>
East Texas Council of Governments	ETCOG	<a href="http://www.etcog.org">www.etcog.org</a>
Golden Crescent Regional Planning Commission	GCRPC	<a href="http://www.gcrpc.org">www.gcrpc.org</a>
Heart of Texas Council of Governments	HOTCOG	<a href="http://www.hotcog.org">www.hotcog.org</a>
Houston-Galveston Area Council	H-GAC	<a href="http://www.h-gac.com">www.h-gac.com</a>
Lower Rio Grande Valley Development Council	LRGVDC	<a href="http://www.lrgvdc.org">www.lrgvdc.org</a>
Middle Rio Grande Development Council	MRGDC	<a href="http://www.mrgdc.org">www.mrgdc.org</a>
Nortex Regional Planning Commission	NORTEX	<a href="http://www.nortexrpc.org">www.nortexrpc.org</a>
North Central Texas Council of Government	NCTCOG	<a href="http://www.nctcog.dst.tx.us">www.nctcog.dst.tx.us</a>
Panhandle Regional Planning Commission	PRPC	<a href="http://www.prpc.cog.tx.us">www.prpc.cog.tx.us</a>
Permian Basin Regional Planning Commission	PBRPC	<a href="http://www.pbrpc.org">www.pbrpc.org</a>
Rio Grande Council of Governments	RGCOG	<a href="http://www.riocog.org">www.riocog.org</a>
South East Texas Regional Planning Commission	SETRPC	<a href="http://www.setrpc.org">www.setrpc.org</a>
South Plains Association of Governments	SPAG	<a href="http://www.spag.org">www.spag.org</a>
South Texas Development Council	STDC	<a href="http://www.stdc.cog.tx.us">www.stdc.cog.tx.us</a>
Texoma Council of Governments	TEXOMA	<a href="http://www.texoma.cog.tx.us">www.texoma.cog.tx.us</a>
West Central Texas Council of Governments	WCTCOG	<a href="http://www.wctcog.org">www.wctcog.org</a>

## For More Information

There are a variety of good sources available for further information. Here is a basic list with contact information.

### To find a publication or form mentioned in this document:

*TCEQ website,*

<[www.tceq.texas.gov/publications/search\\_pubs.html](http://www.tceq.texas.gov/publications/search_pubs.html)>

or <[www.tceq.texas.gov/search\\_forms.html](http://www.tceq.texas.gov/search_forms.html)>

**For confidential assistance** on environmental compliance for small businesses and local governments:

*Small Business and Local Government Assistance Hotline, 800-447-2827*

or <[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)>

### To report ...

- A spill (24 hours a day):  
*Spill Reporting, 800-832-8224*
- An environmental complaint or violation:  
*Environmental Violations Hotline, 888-777-3186*

### For information on ...

- Waste authorizations:  
*TCEQ Waste Permits Division, 512-239-2335*
- Air permits:  
*TCEQ Air Permits Division, 512-239-1250*
- Water quality issues:  
*TCEQ Water Quality Division, 512-239-4671*
- Financial assurance:  
*TCEQ Financial Assurance Office, 512-239-0300*
- The investigation process:  
Your regional TCEQ office
- Enforcement:  
*TCEQ Enforcement Division, 512-239-2545*
- Household hazardous waste programs:  
*TCEQ Pollution Prevention and Education Section, 512-239-3100*
- Councils of Governments:  
*Texas Association of Regional Councils,*  
512-478-4715 or <[www.txregionalcouncil.org](http://www.txregionalcouncil.org)>
- Federal MSW programs:  
*Environmental Protection Agency, Region 6,*  
800-887-6063 or  
<[www.epa.gov/epawaste/nonhaz/municipal/index.htm](http://www.epa.gov/epawaste/nonhaz/municipal/index.htm)>