

Texas Commission on Environmental Quality



Registration for Municipal Solid Waste (MSW) Management Site

Issued under provisions of Texas
Health & Safety Code
Chapter 361

MSW Registration No.: 40291
Name of Site Operator/Registrant: Lealco, Inc.
Property Owner: Lealco, Inc.
Facility Name: Bastrop Transfer Station
Facility Address: 2019 SH 21 W, Cedar Creek, Texas 78612
Facility Classification: Type V Municipal Solid Waste Transfer Station

The registrant is authorized to store and transfer solid waste in accordance with the limitations, requirements, and other conditions set forth herein. This registration is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this registration exempts the registrant from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality (TCEQ). This registration will be valid until canceled, amended, or revoked by the Commission.

Approved, Issued and Effective in accordance with Title 30 Texas Administrative Code (30 TAC) Chapter 330.

Issued Date: December 14, 2017



For the Commission

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I. Facility Size and Location

- A. The Bastrop Transfer Station is located at 2019 SH 21 W, in Cedar Creek, Bastrop County, Texas. The facility registration boundary encompasses 10.45 acres.
- B. The legal description is contained in Parts I & II of the application which is incorporated by reference in Attachment A of this registration.
- C. Coordinates and Elevation of Site Permanent Benchmark:
 - Latitude: 30° 04' 29.51" N
 - Longitude: 97° 33' 53.47" W
 - Benchmark Elevation: 457 feet above mean sea level

II. Authorized Waste Management

- A. Days and Hours of Operation

This facility is authorized to accept waste from 3:00 am to 6:00 pm, Monday through Saturday. The operating hours will be 5:00 am to 9:00 pm for operating heavy equipment and for transporting materials, Monday through Saturday. The operator shall post the operating hours and waste acceptance hours on the site sign.

- B. Waste Management Units

The registrant is authorized to operate the units related to storage and transfer, of the wastes authorized, which shall include units, structures, appurtenances, or improvements as described in the registration application.

- C. Waste Streams Accepted

The registrant is authorized to accept the following wastes, as described in Part IV, found in Attachment A of this registration: Municipal solid waste, putrescible waste, rubbish, yard waste, deceased animals, pharmaceuticals, contaminated foods or beverages, empty containers which have been used for pesticides, herbicides, fungicides, or rodenticides, non-RACM, construction or demolition waste, Class 2, and Class 3 industrial waste. All waste streams will be for transfer.

- D. Wastes Prohibited at this Facility

All liquid waste and solid waste not authorized in Provision II.C. of this registration.

- E. Waste Acceptance Rate

Solid waste authorized in Provision II.C. of this registration may be accepted for transfer at this facility at a maximum rate of 2,500 tons per day.

- F. Maximum Volume Available for Storage

The facility will have a maximum total of 1,000 tons of available solid waste storage capacity for overnight (defined as sunset to sunrise) storage.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

III. Facility Design, Construction, and Operation

- A. Facility design, construction, and operation must comply with this registration, the registration application as incorporated by reference in Attachment A, and the regulations in 30 TAC Chapter 330.
- 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, and to prevent inundation or discharge from the areas surrounding the facility components.
- C. The site shall be designed and operated so as not to cause a violation of:
 - 1. the requirements of the Texas Water Code, §26.121;
 - 2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended; or Texas Pollutant Discharge Elimination System requirements;
 - 3. the requirements under the Federal Clean Water Act, §404, as amended; and
 - 4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.
- D. Facility Personnel: All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this registration. The registrant shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this registration, commensurate with their levels and positions of authority.

IV. Financial Assurance

- A. Authorization to operate the facility is contingent upon compliance with provisions contained within this registration and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter L and 30 TAC Chapter 37.
- B. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount equal to closing the entire facility pursuant to 30 TAC Section §330.505. The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to the anniversary date of the registration pursuant to 30 TAC Chapter 37 Subchapter B. Continuous financial assurance coverage for closure must be provided until all requirements of the final closure plan have been completed and the site is determined to be closed in writing by the executive director.

- C. Within 60 days after the date of registration issuance or prior to the initial receipt of waste, the registrant shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than \$146,670 for closure in 2016 dollars. The amount of financial assurance to be posted annually shall be determined as described in Provisions IV.A and IV.B of this registration and 30 TAC Chapter 37.
- D. If the facility's closure plan is modified, the registrant shall provide new cost estimates in current dollars, which meet the requirements 30 TAC Chapter 37 and 30 TAC Chapter 330, Subchapter L as applicable. Modifications shall be made pursuant to 30 TAC §305.70. The amount of the financial assurance mechanism shall be adjusted and provided within 45 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this registration shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

A. Closure shall commence:

- 1. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this registration or violation of State or Federal regulations. The Executive Director is authorized to issue emergency orders to the registrant in accordance with §§5.501 and 5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
- 2. Upon abandonment of the site;
- 3. Upon direction of the Executive Director for failure to secure and maintain adequate financial assurance as required; or
- 4. Upon registrant's notification to the TCEQ that the facility will no longer operate.

B. Closure Completion Requirements:

The facility shall be closed in accordance with the Closure Plan and Closure Cost Estimate in Part III of the Registration application and in accordance with 30 TAC §330.21 – Closure, 30 TAC §330.451 – Applicability, 30 TAC §330.459 - Closure Requirements for Municipal Solid Waste Storage and Processing Units and 30 TAC §330.461 - Certification of Final Facility Closure.

VI. Standard Registration Conditions

- A. This registration is based on the registration application submittal dated March 9, 2017 and the revisions dated March 15, April 28, August 16, October 19, and November 16, 2017. These application submittals are hereby approved subject to the terms of this registration, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this registration by reference in Attachment A as fully set out herein. Any and all revisions to these elements shall become conditions of this registration upon the date of approval by the Commission. The registrant shall comply with the registration application submittals, maintain the Application and all

supporting documentation at the facility, and make them available for inspection by TCEQ personnel.

- B. Failure to comply with any condition may constitute a violation of the registration, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.
- C. Attachment B, consisting of temporary authorizations, modifications, and corrections to this registration, is hereby made a part of this registration.
- D. If the registrant does not begin physical construction within two years of the issuance of this registration, the registration shall automatically terminate and will no longer be effective pursuant to Title 30 Texas Administrative Code (30 TAC) §330.71(g).
- E. Once the facility is constructed, the registrant is required to submit a certification by a Texas-licensed professional engineer that the facility is constructed as designed in accordance with the issued registration pursuant to 30 TAC §330.73(d).
- F. After construction activities are complete and prior to accepting waste, the registrant shall contact the executive director and region office in writing and request a pre-opening inspection pursuant to 30 TAC §330.73(e).
- G. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.
- H. The provisions of this registration are severable. If any registration provision or the application of any registration provision to any circumstance is held invalid, the remainder of this registration shall not be affected.
- I. Regardless of the specific designs contained in the registration application, the registrant shall be required to meet all performance standards in the registration, the application, or as required by local, State, and Federal laws.
- J. If differences arise between these registration provisions and the Application, these registration provisions shall prevail.
- K. The registrant 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.
- L. The registrant shall collect recycling data and report quarterly to demonstrate that the facility is achieving the 10% recycling requirement in accordance with 30 TAC §330.9(e) or (f).

VII. Incorporated Regulatory Requirements

- A. The registrant 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 operation authorized by this registration.
- B. To the extent applicable to the activities authorized by this registration, the requirements of 30 TAC Chapters 37, 281, 305, and 330, and future revisions are adopted by reference and are hereby made provisions and conditions of this registration.

VIII. Special Provisions

None.

IX. Attachment A

The Registration Application.

X. Attachment B

Modifications, and Corrections to MSW Registration No. 40291.