

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**AMENDED NOTICE OF HEARING
(To change hearing location.)
ALTAIR DISPOSAL SERVICES, LLC
SOAH Docket No. 582-18-1960
TCEQ Docket No. 2018-0013-IHW
Proposed Permit No. 50407**

APPLICATION.

Altair Disposal Services, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a new non-commercial hazardous waste permit to authorize the disposal of hazardous waste by landfilling. The facility is located at 5464 Highway 71, Lot B, Altair, Colorado County, Texas 77412. TCEQ received the application on October 22, 2013. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:

<<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.59999&lng=-96.492&zoom=13&type=r>>. For the exact location, refer to the application.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Nesbitt Memorial Library, 529 Washington Street, Columbus, Colorado County, Texas 78934.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published on July 20 and 21, 2016. On January 9, 2018, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

**10:00 a.m. – March 28, 2018
Colorado County Courthouse
District Courtroom, Suite 200
400 Spring Street
Columbus, Texas 78934**

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 335, and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. At least one session of the hearing will be held in the county in which the facility is located.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

This notice satisfies the requirements of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S. 6901 et seq. and 40 CFR 124.10. Once the final permit decisions of the TCEQ and U.S. Environmental Protection Agency (EPA) are effective regarding this facility, they will implement the requirements of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). The final permit/compliance plan decision will also implement the federally authorized state requirements. The TCEQ and EPA have entered into a joint permitting agreement whereby permits will be issued in Texas in accordance with the Texas Solid Waste Disposal Act, Texas Health and Safety Code Ann., Chapter 361, and RCRA, as amended. In order for the applicant to have a fully effective RCRA permit, both the TCEQ and EPA must issue the permit. All permit provisions are fully enforceable under State and Federal law. The State of Texas has not received full HSWA authority. Areas in which the TCEQ has not been authorized by EPA are denoted in the draft permit with an asterisk (*). Persons wishing to comment or request a hearing on a HSWA requirement denoted with an asterisk (*) in the draft permit should also notify, in writing, Chief, RCRA Permits Branch, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. EPA will accept hearing requests submitted to the TCEQ.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>. The mailing address for the TCEQ is P.O. Box 13087, Austin TX 78711-3087.

Further information may also be obtained from Altair Disposal Services, LLC at the address stated above or by calling Mr. David Nielsen at 661-762-6233.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: February 6, 2018

Bridget C. Bohac

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality