

Texas Commission on Environmental Quality



Combined Notice of Application and Preliminary Decision for Municipal Solid Waste Permit and Notice of Public Meeting for a New Municipal Solid Waste Transfer Station Facility

Proposed Permit No. 2398

APPLICATION AND PRELIMINARY DECISION. Lealco, Inc., 7118 U.S. Highway 59 South, Goodrich, Polk County, Texas, 77335, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste Transfer Station permit. The facility is proposed to be located on approximately 20.5 acres of property located off County Road (CR) 130, approximately 0.8 miles northwest of the intersection of CR 130 and Chandler Road, in an unincorporated area of Williamson County, Texas, and within the extraterritorial jurisdiction of the City of Hutto, Texas. The transfer station facility would accept and transfer municipal solid waste which includes wastes resulting from or incidental to municipal, community, commercial, institutional, and recreational activities; construction or demolition waste; special waste that does not interfere with site operations; and other wastes such as Class 2 and Class 3 industrial waste. The TCEQ received this application on August 11, 2017. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice:

<https://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.5976&lng=-97.56&zoom=13&type=r%20> For exact location, refer to the application.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, 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 Hutto Public Library, 205 West Street, Hutto, Williamson County, Texas 78634. The permit application may be viewed online at <http://www.scsengineers.com/State/williamson-transfer-station>.

PUBLIC COMMENT/PUBLIC MEETING. A public meeting will be held and the comment period is extended until the end of the public meeting. The public meeting will

consist of two parts, an Informal Discussion Period and a Formal Comment Period. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the application. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period, members of the public may state their formal comments orally into the official record. All formal comments will be considered before a decision is reached on the application. The executive director will file a response to comments. A public meeting is not a contested case hearing under the Administrative Procedure Act.

The Public Meeting is to be held:

**January 22, 2019 at 7:00 PM
Robertson Elementary School (Gynasium)
1415 Bayland Street
Round Rock, Texas 78664**

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments and the Executive Director's decision on the application will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A person who may be affected by the proposed facility is entitled to request a contested case hearing from the commission.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement " [I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a

scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing, or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted within 30 days from the date of newspaper publication of this notice either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al 800-687-4040.

Further information may also be obtained from Lealco, Inc. at the address stated above or by calling Mr. Chris Ruane, Region Engineering Manager at (832) 442-2204.

Issued Date: December 4, 2018