

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 17, 2023

Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105 Austin,
Texas 78711-3087

**RE: Application by USA Waste of Texas Landfills, Inc., MSW Permit No. 2185A;
TCEQ Docket No. 2023-0265-MSW**

Dear Laurie Gharis:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) is the Executive Director's Response to Hearing Requests and Requests for Reconsideration.

Please do not hesitate to contact me at Anthony.tatu@tceq.texas.gov or (512) 239-5778 if you have any questions. Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony Tatu".

Anthony Tatu
Staff Attorney
Environmental Law Division

Division Enclosure

cc: Mailing List

MAILING LIST
USA Waste of Texas Landfills, Inc.
TCEQ Docket No. 2023-0265-MSW; MSW Permit No. 2185A

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TCEQ DOCKET NO. 2023-0265-MSW

APPLICATION BY § BEFORE THE TEXAS COMMISSION
USA WASTE OF TEXAS LANDFILLS, INC. §
FOR MUNICIPAL SOLID WASTE PERMIT § ON
NO. 2185A § ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS
AND REQUESTS FOR RECONSIDERATION

I. Introduction

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Requests and Requests for Reconsideration (Response) on the application of USA Waste of Texas Landfills, Inc. (Applicant) for a new Municipal Solid Waste (MSW) Permit No. 2185A. The Office of the Chief Clerk (OCC) received timely hearing requests from Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves, Inc. (Hope, Healing and Hooves); Westwind Industries, LP (Westwind Industries); Harris County; Revitalize America Partnership, Inc. (Revitalize America); Carverdale Civic Club; D.A. Rambo; Robert Rigdon; and Lester Whiteing.

The Executive Director recommends that the Commission find the following requestors are affected persons and grant their hearing requests: Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves; Westwind Industries; Harris County; Revitalize America, and Carverdale Civic Club.

Attached for the Commission's consideration is a Geographic Information Systems (GIS) map of requestors in the area of the proposed facility (Attachment A), along with the Applicant's list and map of landowners adjacent to the proposed facility (Attachment B). The draft permit, Technical Summary, Executive Director's Preliminary Decision, and Executive Director's Response to Public Comment can be found in the Agenda backup materials filed for the Commission's consideration.

II. Description of the Facility

The Applicant has applied for a major permit amendment to authorize the name change of the facility to Hawthorn Park Recycling and Disposal Facility and the lateral and vertical expansion of the facility. The major permit amendment will authorize the operation of a Type IV MSW landfill facility. The facility is located at 10550 Tanner Road, Houston, Harris County, Texas 77041. The application, if granted, would include 210.2 acres, of which approximately 179.9 acres would be used for waste disposal.

The draft permit would authorize the owner or operator of the facility to dispose of municipal solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including rubbish, brush, construction-demolition waste, and yard waste; Class 2 non-hazardous industrial solid

waste; Class 3 non-hazardous industrial solid waste; special waste, including non-regulated asbestos containing material; and other waste as approved by the Executive Director. The proposed landfill will not be authorized to accept wastes other than the wastes mentioned above, or waste streams that are expressly prohibited by Title 30 Texas Administrative Code (30 TAC) Chapter 330. Authorized wastes may be accepted at an initial rate of approximately 150,000 tons per year, which may increase over time to a maximum acceptance rate of approximately 340,000 tons per year.

III. Procedural Background

TCEQ received this application on February 23, 2021, and declared administratively complete on April 2, 2021. The Notice of Receipt of Application and Intent to Obtain Permit (NORI) was published in English on April 21, 2021, in *The Houston Chronicle* and in Spanish on April 25, 2021, in *La Voz de Houston* in Harris County, Texas.

TCEQ held a virtual public meeting on the application on January 18, 2022. Notice of the public meeting was published in English on December 31, 2021, January 7, 2022, and January 14, 2022, in *The Houston Chronicle*, and in Spanish on December 29, 2021, January 5, 2022, and January 12, 2022, in *La Voz de Houston*.

The Executive Director completed the technical review of the application on February 10, 2022, and prepared a draft permit. The Notice of Application and Preliminary Decision (NAPD) was published in English and in Spanish on March 9, 2022, in *The Houston Chronicle* and *La Voz de Houston*, respectively. The public comment period, originally set to end on April 8, 2022, was extended to end on June 28, 2022.

TCEQ held a second public meeting on the application on June 28, 2022. Notice of the second public meeting was published in English on June 8, 2022, June 15, 2022, and June 22, 2022, in *The Houston Chronicle* and in Spanish on June 8, 2022, June 15, 2022, and June 22, 2022, in *La Voz de Houston*.

This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature (1999) and Senate Bill 709, 84th Legislature (2015), both implemented by the Commission in its rules under 30 TAC Chapters 39, 50, and 55.

IV. Evaluation of Hearing Requests

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment, and the Commission's consideration of hearing requests. The Commission implemented HB 801 by adopting procedural rules in Title 30 of the Texas Administrative Code (30 TAC) Chapters 39, 50, and 55. Senate Bill 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests.

A. Legal Authority to Respond to Hearing Requests

“The [E]xecutive [D]irector, the public interest counsel, and the applicant may submit written responses to [hearing] requests”,¹

“Responses to hearing requests must specifically address”:

- (1) whether the requestor is an affected person;
- (2) which issues raised in the hearing request are disputed;
- (3) whether the dispute involves questions of fact or law;
- (4) whether the issues were raised during the public comment period;
- (5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director’s Response to Comment;
- (6) whether the issues are relevant and material to the decision on the application; and
- (7) a maximum expected duration for the contested case hearing”.²

B. Hearing Request Requirements

For the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements.

“A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided, [based only on the requestor’s timely comments, and] may not be based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director’s Response to Comment”³

“A hearing request must substantially comply with the following”:

- (1) give the name, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who

¹ 30 TAC § 55.209(d).

² 30 TAC § 55.209(e).

³ 30 TAC § 55.201(c).

- shall be responsible for receiving all official communications and documents for the group;
- (2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
 - (3) request a contested case hearing;
 - (4) list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the [C]ommission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the [E]xecutive [D]irector's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, and list any disputed issues of law; and
 - (5) provide any other information specified in the public notice of application.⁴

C. Requirement that Requestor be an Affected Person

In order to grant a contested case hearing, the Commission must determine that a requestor is an affected person.

- (a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest;
- (b) Governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons;
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
 - (1) whether the interest claimed is one protected by the law under which the application will be considered;
 - (2) distance restrictions or other limitations imposed by law on the affected interest;

⁴ 30 TAC § 55.201(d).

- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person;
- (6) whether the requestor timely submitted comments on the application that were not withdrawn; and
- (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.⁵

(d) [In making this determination,] the [C]ommission may also consider the following:

- (1) the merits of the underlying application and supporting documentation in the [C]ommission's administrative record, including whether the application meets the requirements for permit issuance;
- (2) the analysis and opinions of the [E]xecutive [D]irector; and
- (3) any other expert reports, affidavits, opinions, or data submitted by the [E]xecutive [D]irector, the applicant, or hearing requestor.⁶

D. Referral to the State Office of Administrative Hearings

“When the [C]ommission grants a request for a contested case hearing, the [C]ommission shall issue an order specifying the number and scope of the issues to be referred to [SOAH] for a hearing.”⁷ “The [C]ommission may not refer an issue to SOAH for a contested case hearing unless the [C]ommission determines that the issue: (1) involves a disputed question of fact or a mixed question of law and fact; (2) was raised during the public comment period . . . by an affected person . . .; and (3) is relevant and material to the decision on the application.”⁸

V. Analysis of the Requests

The Executive Director has analyzed the hearing requests to determine whether they comply with Commission rules, who qualifies as an affected person, what issues may be referred for a contested case hearing, and the appropriate duration of the hearing.

⁵ 30 TAC § 55.203.

⁶ 30 TAC § 55.203.

⁷ 30 TAC § 50.115(b).

⁸ 30 TAC § 50.115(c).

A. Whether the Individual Requestors Complied with 30 TAC § 55.201(c) and (d).

i. Individuals the Executive Director Recommends the Commission Find are Affected Persons

The Executive Director reviewed the factors in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a requestor is an affected person and recommends the Commission find that the following requestors are affected persons. All hearing requests were in writing, provided the required contact information, and raised the issues that are the basis of the individual hearing requests in the requestors' timely comments.

1. Dr. Victor Hebert

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Dr. Hebert is an affected person.

Dr. Hebert submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of his hearing request in his timely comments. Dr. Hebert's request presents his interests in protecting his health and property from the proposed permitted activity. Dr. Hebert owns property adjacent to the landfill. Based on the location and distance of Dr. Hebert's property and the issues he raised, the Executive Director has determined that Dr. Hebert demonstrated that he has a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Dr. Hebert raised issues: 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 16, and 19.

2. Gregory Hudson (Individually and Represented by Lone Star Legal Aid)

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Gregory Hudson is an affected person.

Gregory Hudson submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of his hearing request in his timely comments. Gregory Hudson's request presents his interests in protecting his health and property from the proposed permitted activity. Gregory Hudson owns property within a quarter of a mile from the landfill. Based on the location and distance of Gregory Hudson's property and the issues he raised, the Executive Director has determined that Gregory Hudson demonstrated that he has a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Gregory Hudson raised issues: 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 19.

3. Myra Wrenn Jefferson (Individually and Represented by Lone Star Legal Aid)

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Myra Wrenn Jefferson is an affected person.

Myra Wrenn Jefferson submitted timely hearing requests in writing, provided the required contact information, and raised the issues that are the basis of her hearing requests in her timely comments. Myra Wrenn Jefferson's requests present her interests in protecting her health, welfare, and physical property from the proposed permitted activity. Myra Wrenn Jefferson lives within one mile from the landfill. Based on the location and distance of Myra Wrenn Jefferson's property and the issues she raised, the Executive Director has determined that Myra Wrenn Jefferson demonstrated that she has a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Myra Wrenn Jefferson raised issues: 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, and 19.

4. Damien Lawson

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Damien Lawson is an affected person.

Damien Lawson submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of his hearing request in his timely comments. Damien Lawson's request presents his interests in protecting his health and property from the proposed permitted activity. Damien Lawson lives adjacent to the landfill. Based on the location and distance of Damien Lawson's property and the issues he raised, the Executive Director has determined that Damien Lawson demonstrated that he has a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Damien Lawson raised issues: 2, 3, 4, 7, 8, 10, 14, 15, and 16.

5. Hope, Healing and Hooves, Inc.

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Hope, Healing and Hooves is an affected person.

Kathleen Pickett submitted a hearing request on behalf of Hope, Healing and Hooves in writing, provided the required contact information, and raised the issues that are the basis of its hearing request in its timely comments. Kathleen Pickett explains that Hope, Healing and Hooves provides equestrian-related educational programs to children and the community. According to the hearing request filed by Kathleen Pickett, Hope,

Healing and Hooves has secured the rights to a 12-acre site that is less than half a mile directly south of the landfill. The request on behalf of Hope, Healing and Hooves presents its interests in protecting its property and the health and welfare of its students and staff from the proposed permitted activity. Based on this information and the comments raised, the Executive Director has determined that Hope, Healing and Hooves has a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Hope, Healing and Hooves raised issues: 3, 4, 5, 8, 10, 11, 14, 15, and 18.

6. Westwind Industries, LP

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Westwind Industries is an affected person.

Michael Woodward and Blayre Pena submitted hearing requests on behalf of Westwind Industries. The hearing requests were timely, in writing, provided the required contact information, and raised the issues that are the basis of its hearing request in its timely comments. The requests on behalf of Westwind Industries present its interests in protecting its property from the proposed permitted activity. Westwind Industries owns approximately 40 acres adjacent to the landfill. Based on the location and distance of Westwind Industries' property and the issues raised, the Executive Director has determined that Westwind Industries has demonstrated a personal justiciable interest in the application that is not common to members of the general public and is an affected person.

Westwind Industries raised issues: 1, 3, 4, 5, 6, 8, 11, 13, and 18.

7. Harris County

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Harris County is an affected person. Harris County, a local subdivision of the State of Texas, is a local government. Tex. Health Safety Code §§ 361.003(17) and 382.003(8); and Tex. Water Code § 26.001(18). TCEQ rules state that when considering a request for hearing from a governmental entity, their statutory authority or interest in the issues relevant to the application shall be considered. As a local government, Harris County has the authority to inspect Hawthorn Landfill for compliance with various state environmental statutes and TCEQ rules and orders issued thereunder. Tex. Health Safety Code §§ 361.032 and 382.111; and Tex. Water Code § 26.173.

On behalf of Harris County, Sarah Utley submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of the county's hearing request in timely comments. Based on Harris County's statutory authority and interest in issues relevant to the application, the Executive Director has determined that Harris County is an affected person.

Harris County raised issues: 1, 3, 4, 5, 6, 8, 11, 13, and 18.

8. Revitalize America Partnership, Inc.

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.205 for determining whether a group or an association is an affected person and recommends the Commission find that Revitalize America is an affected person.

Revitalize America submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of its hearing request in its timely comments. The request identifies Revitalize America as a charitable 501(C)(3) organization of residents of the Carverdale Neighborhood in Houston, Texas. Revitalize America has identified Myra Wrenn Jefferson as a member who would otherwise have standing to request a hearing and has explained the how interests the group seeks to protect are germane to the organization's purpose. The request on behalf of Revitalize America presents its interests in protecting property in the Carverdale Neighborhood and preventing nuisance conditions from the proposed permitted activity. Based on this information, the Executive Director has determined that the group is an affected person.

Revitalize America raised issues: 1, 2, 5, 7, 8, and 11, 15, 16.

9. Carverdale Civic Club

The Executive Director reviewed the factors found in TAC §§ 55.201(c) and (d) and 55.205 for determining whether a group or an association is an affected person and recommends the Commission find that Carverdale Civic Club is an affected person.

The Caverdale Civic Club submitted a timely hearing request in writing, provided the required contact information, and raised the issues that are the basis of its hearing request in its timely comments. The request identifies Carverdale Civic Club as a charitable 501(C)(3) organization of landowners and residents of the Carverdale Neighborhood in Houston, Texas. Iesheia Wyers-Wilson, Mark Harding, and Dr. Pamela Roberson provided comments on behalf of Carverdale Civic Club. In addition, they identified Dr. Roberson as a member who would otherwise have standing to request a hearing and explained how interests the group seeks to protect are germane to the organization's purpose. The request on behalf of the Carverdale Civic Club presents its interests in protecting property and the health of the residents in the Carverdale Neighborhood from the proposed permitted activity. Based on this information, the Executive Director has determined that the group is an affected person.

Carverdale Civic Club raised issues: 1, 5, 8, 14 and 17.

ii. Individuals the Executive Director Does Not Recommend the Commission Find are Affected Persons

The Executive Director reviewed the factors in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find the following individuals are NOT affected persons because they

did not demonstrate a personal justiciable interest that is not common to members of the general public: D.A. Rambo; Robert Rigdon; and Lester Whiteing.

1. D.A. Rambo

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that D.A. Rambo is not an affected person.

D.A. Rambo submitted a timely hearing request in writing and provided the required contact information; however, based on the information provided in his hearing request, it appears that D.A. Rambo would not be affected differently than the general public. D.A. Rambo's request states that he lives near the facility and that the noise, traffic, and smell are not appropriate for the area. D.A. Rambo's request raises concern that the permitted facility will affect the value of his property, but TCEQ does not have authority to consider property value or economic impacts when considering an application for a municipal solid waste permit.

D.A. Rambo raised issues: 5, 7, 8, 11, and 14.

2. Robert Rigdon

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Robert Rigdon is not an affected person.

Robert Rigdon submitted a timely hearing request in writing and provided the required contact information; however, based on the information provided in his hearing request, it appears that Robert Rigdon would not be affected differently than the general public. Robert Rigdon's request states, "I am a few miles from the location" and raises concerns relating to odors and aesthetics that will affect his enjoyment of the area. These are interests that are common to members of the general public.

Robert Rigdon raised issues: 5, 7, 8, 11, and 14.

3. Lester Whiteing

The Executive Director reviewed the factors found in 30 TAC §§ 55.201(c) and (d) and 55.203 for determining whether a person is an affected person and recommends the Commission find that Lester Whiteing is not an affected person.

Lester Whiteing submitted a timely hearing request in writing and provided the required contact information; however, Lester Whiteing does not state how close he lives to the facility, and he does not articulate a personal justiciable interest in the application that is not common to members of the general public. Lester Whiteing's request expresses concerns about the proximity of the permitted facility to neighborhood residences, churches, and Kirk Elementary School. These are interests that are common to members of the general public.

Lester Whiteing raised issues: 5, 8, 10, and 14.

B. Whether the Issues Raised May be Referred to SOAH for a Contested Case Hearing.

The Executive Director has identified issues of disputed questions of fact or mixed questions of law and fact, raised during the comment period, in the requests for a contested case hearing, and relevant to the decision on the application that could be referred to SOAH if the Commission determines that a requestor is an affected person. The issues discussed were raised during the public comment period and addressed in the Executive Director's Response to Public Comment (RTC). None of the issues were withdrawn. All issues identified in this response are considered disputed, unless otherwise noted.

i. Disputed Issues of Fact that are Relevant and Material to the Commission's Consideration of the Application

The Executive Director recommends that the Commission refer the following issues to SOAH for a Contested Case Hearing:

- 1. Whether the amended permit, if issued will cause soil contamination.** (RTC Comment 3) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls to prevent soil contamination, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert, Gregory Hudson, Myra Wrenn Jefferson, Westwind Industries, Harris County, Revitalize America, and Carverdale Civic Club, who the Executive Director recommends the Commission find are affected persons.

- 2. Whether the amended permit, if issued, will negatively impact vegetation and wetlands.** (RTC Comment 4) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls to protect vegetation and wetlands, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert, Myra Wrenn Jefferson, Damien Lawson, and Revitalize America, who the Executive Director recommends the Commission find are affected persons.

- 3. Whether the facility will cause nuisance conditions, including dust.** (RTC Comment 7) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be

shown the draft permit does not provide sufficient controls to prevent nuisance conditions, including dust, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Damien Lawson; Hope, Healing and Hooves; Westwind Industries; and Harris County, who the Executive Director recommends the Commission find are affected persons.

4. **Whether the amended permit, if issued, will contaminate surface water or groundwater.** (RTC Comments 10, 11, 36) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls to prevent contamination of surface water or groundwater, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves; Westwind Industries; and Harris County, who the Executive Director recommends the Commission find are affected persons.

5. **Whether the amended permit, if issued, will negatively impact human health, safety, or quality of life of the surrounding community.** (RTC Comments 14, 15, 17, 53) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls to prevent a negative impact to human health, safety, or quality of life, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Hope, Healing and Hooves; Westwind Industries; Harris County; Revitalize America; and Carverdale Civic Club, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by D.A. Rambo, Robert Rigdon, and Lester Whiteing, who the Executive Director recommends the Commission find are not affected persons.

6. **Whether the amended permit, if issued, will attract vectors.** (RTC Comment 18) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls to prevent the attraction of vectors, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert, Gregory Hudson, Myra Wrenn Jefferson, Westwind Industries, and Harris County, who the Executive Director recommends the Commission find are affected persons.

7. **Whether the facility will be properly operated.** (RTC Comments 20, 21, 22, 23) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not provide sufficient controls ensure proper operation of the facility, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert, Gregory Hudson, Myra Wrenn Jefferson, Damien Lawson, and Revitalize America, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by D.A. Rambo and Robert Rigdon, who the Executive Director recommends the Commission find are not affected persons.

8. **Whether the application is complete and accurate.** (RTC Comments 5, 25, 26, 28, 29, 31, 33, 34, 37, 38, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 60, 61, 62, 68, 74, 75, 76) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that the application is not complete and accurate, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves; Westwind Industries; Harris County; Revitalize America; and Carverdale Civic Club, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by D.A. Rambo, Robert Rigdon, and Lester Whiteing, who the Executive Director recommends the Commission find are not affected persons.

9. **Whether the buffer zones comply with 30 TAC § 330.543(b).** (RTC Comment 30) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that the buffer zones do not comply with the rules, that information would be relevant and material to a decision on the application.

This issue was raised by Gregory Hudson and Myra Wrenn Jefferson, who the Executive Director recommends the Commission find are affected persons.

10. **Whether the location of the expanded facility complies with TCEQ's siting rules.** (RTC Comments 40, 43) The issue involves a disputed question of mixed fact and law, was raised during the comment period,

was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that the location of the expanded facility does not comply with the rules, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; and Hope, Healing and Hooves, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by Lester Whiteing, who the Executive Director recommends the Commission find is not an affected person.

- 11. Whether the proposed expansion of the facility will cause nuisance odors.** (RTC Comment 56) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that the location of the expanded facility will cause nuisance odors, that information would be relevant and material to a decision on the application.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Hope, Healing and Hooves; Westwind Industries; Harris County; and Revitalize America, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by D.A. Rambo and Robert Rigdon, who the Executive Director recommends the Commission find are not affected persons.

- 12. Whether the facility's compliance history is correct and accurate.** (RTC Comment 64) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that the facility's compliance history is not correct, that information would be relevant and material to a decision on the application.

This issue was raised by Gregory Hudson and Myra Wrenn Jefferson, who the Executive Director recommends the Commission find are affected persons.

- 13. Whether all required notices were provided.** (RTC Comments 66, 67) The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown that not all required public notices were provided, that information would be relevant and material to a decision on the application.

This issue was raised by Gregory Hudson, Westwind Industries, Harris County, and Myra Wrenn Jefferson, who the Executive Director recommends the Commission find are affected persons.

ii. **Issues that are not Relevant or Material to the Commission's Consideration of the Application or that are Matters of Law or Policy**

The Executive Director does not recommend that the Commission refer the following issues to SOAH for a Contested Case Hearing:

14. **Whether the changes to the facility's operations will increase air pollution and lower air quality.** (RTC Comments 6, 8) The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves; and Carverdale Civic Club, who the Executive Director recommends the Commission find are affected persons. This issue was also raised by D.A. Rambo, Robert Rigdon, Lester Whiteing, who the Executive Director recommends the Commission find are not affected persons.

15. **Whether the proposed expansion of the facility will violate local deed restrictions.** (RTC Comment 42) The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Damien Lawson; Hope, Healing and Hooves; and Revitalize America, who the Executive Director recommends the Commission find are affected persons.

16. **Whether the Executive Director considered applicable state and federal civil rights laws, including the 14th amendment.** (RTC Comments 57, 58) TCEQ is committed to protecting human health and the environment for all Texans throughout the state. When evaluating permits that would authorize landfill facilities, TCEQ considers the surrounding community without regard to its socioeconomic or racial status. TCEQ does not allow discrimination on the basis of race, color, national origin, sex, disability, age, sexual orientation, veteran status, or retaliation in the administration of our programs or activities, as required by federal and state laws and regulations. TCEQ strives to ensure that all Texans can participate in TCEQ programs. The Office of the Chief Clerk works to help citizens and neighborhood groups participate in the regulatory process to ensure that agency programs that may affect human health or the environment operate without discrimination and to make sure that citizens' concerns are considered thoroughly and are handled in a way that is fair to all.

The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Dr. Victor Hebert, Myra Wrenn Jefferson, Damien Lawson, and Revitalize America, who the Executive Director recommends the Commission find are affected persons.

17. **Whether the virtual public meeting was sufficient.** (RTC Comment 65)
The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Carverdale Civic Club, who the Executive Director recommends the Commission find is an affected person.

18. **Whether the draft permit should include provisions addressing illegal dumping near the facility.** (RTC Comment 71) The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Westwind Industries; Hope, Healing and Hooves; and Harris County, who the Executive Director recommends the Commission find are affected persons.

19. **Whether there is a better use for the property.** (RTC Comments 73, 77)
The issue involves a disputed question of mixed fact and law, was raised during the comment period, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit.

This issue was raised by Dr. Victor Hebert, Gregory Hudson, and Myra Wrenn Jefferson, who the Executive Director recommends the Commission find are affected persons.

VI. Contested Case Hearing Duration

If there is a contested case hearing on this application, the Executive Director recommends that the duration of the hearing be six months from the preliminary hearing to the presentation of a proposal for decision to the Commission.

VII. Requests for Reconsideration

The TCEQ received requests for reconsideration from Myra Wrenn Jefferson, Gregory Hudson, Westwind Industries, Harris County, Celia Lopez, and Donna Brownlow on behalf of Northwest Houston Environmental Injustice Coalition. 30 TAC § 55.201(e) provides that requests for reconsideration must give reasons the decision should be reconsidered. None of the requests for reconsideration met this requirement. After reviewing the requests for reconsideration, the Executive Director found no cause to revise the draft permit. Because the Executive Director recommends granting some of the hearing requests and maintains that the draft permit, if issued, would comply with all applicable statutory and regulatory requirements, the Executive Director recommends that the requests for reconsideration be denied.

VIII. Executive Director's Recommendation

The Executive Director recommends the following actions by the Commission:

1. The Executive Director recommends the Commission deny the Requests for Reconsideration.
2. The Executive Director recommends the Commission find that the following are affected persons and grant their hearing requests: Dr. Victor Hebert; Gregory Hudson; Myra Wrenn Jefferson; Damien Lawson; Hope, Healing and Hooves; Westwind Industries; Harris County; Revitalize America; and Carverdale Civic Club.
3. The Executive Director recommends that the Commission find that all other requestors are not affected persons and deny their hearing requests.
4. If referred to SOAH, that the duration of the hearing be six months from the preliminary hearing to the presentation of the proposal for decision to the Commission.
5. If referred to SOAH, concurrently refer the matter to Alternative Dispute Resolution.
6. If referred to SOAH, refer Issues 1 through 13 listed above in Part V of this response.

Respectfully submitted,

Texas Commission on Environmental Quality

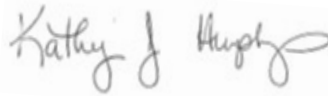
Erin E. Chancellor
Interim Executive Director

Charmaine Backens, Acting Director
Office of Legal Services

Guy Henry, Acting Deputy Director
Environmental Law Division



Anthony Tatu, Staff Attorney
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State Bar No. 00792869
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Heather Haywood, Staff Attorney
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Phone (512) 239-5474

REPRESENTING THE EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

**Attachment A – Geographic Information Systems (GIS) Map
of Requestors in the Proposed Area**

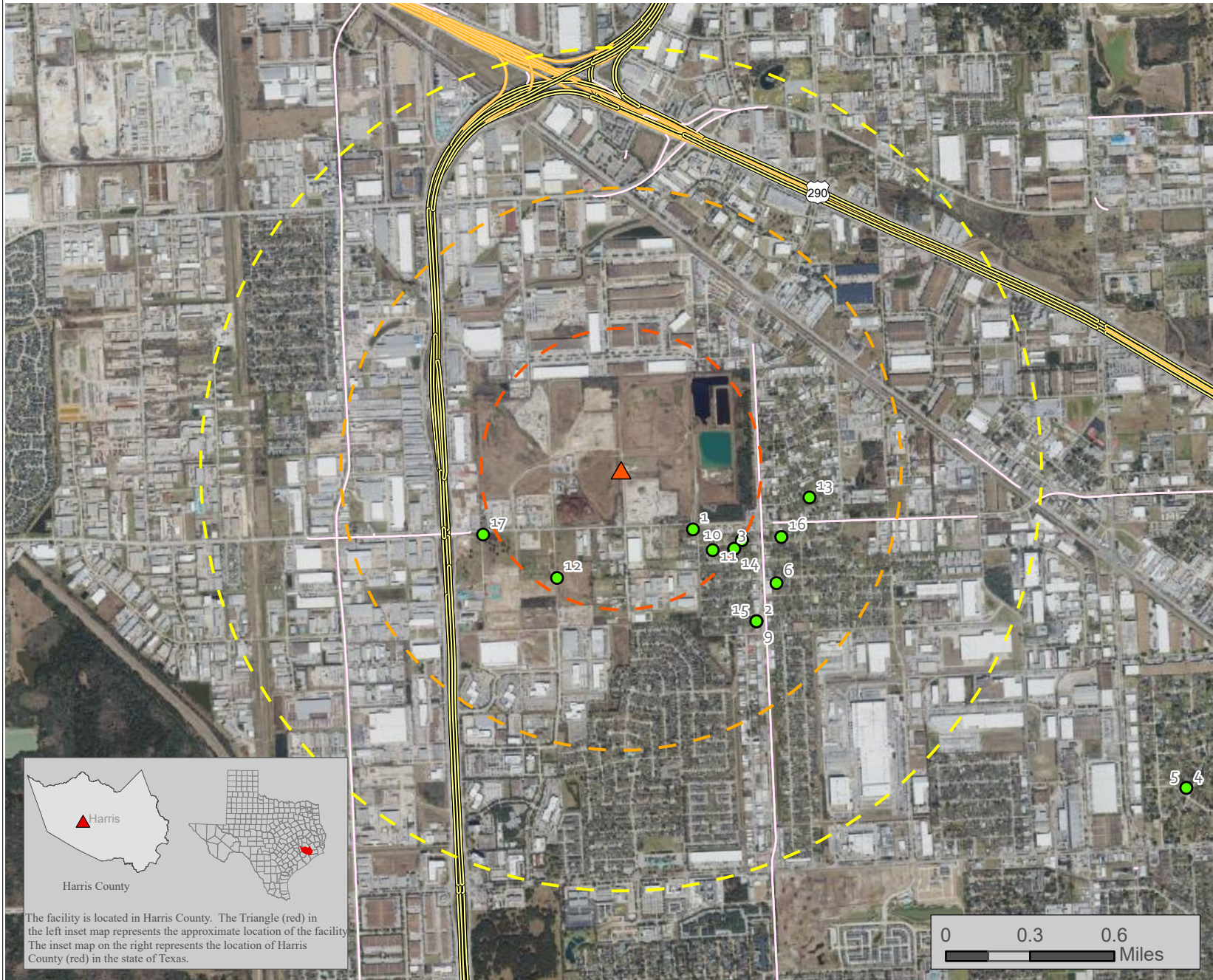
Location of Requestors -- USA Waste of Texas Landfills, Inc. Permit 2185A



Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda

*Protecting Texas by
Reducing and
Preventing Pollution*

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 4/4/2023
CRF 0086012
Cartographer: jbartlin



- Requestors
- ▲ Facility
- 0.5 Mile Radius
- 1.0 Mile Radius
- 1.5 Mile Radius
- County Boundary

Requestor Name and Number

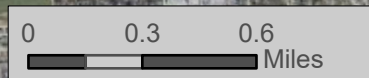
Number	Name
1	Victor Hebert
2	Myra Ann Wrenn Jefferson
3	Damien D. Lawson
4	D.A. Rambo
5	Robert Rigdon
6	Mark Harding on behalf of the Car
9	Revitalize America Partnership, I
10	Dr. Pamela Roberson, representing
11	Gregory Hudson, individually, and
12	Hope, Healing and Hooves, Inc.
13	Donna Brownlow
14	Iesheia Ayers-Wilson
15	Myra Jefferson, individually, and
16	Celia Lopez
17	Westwind Industries LP



The facility is located in Harris County. The Triangle (red) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Harris County (red) in the state of Texas.

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.



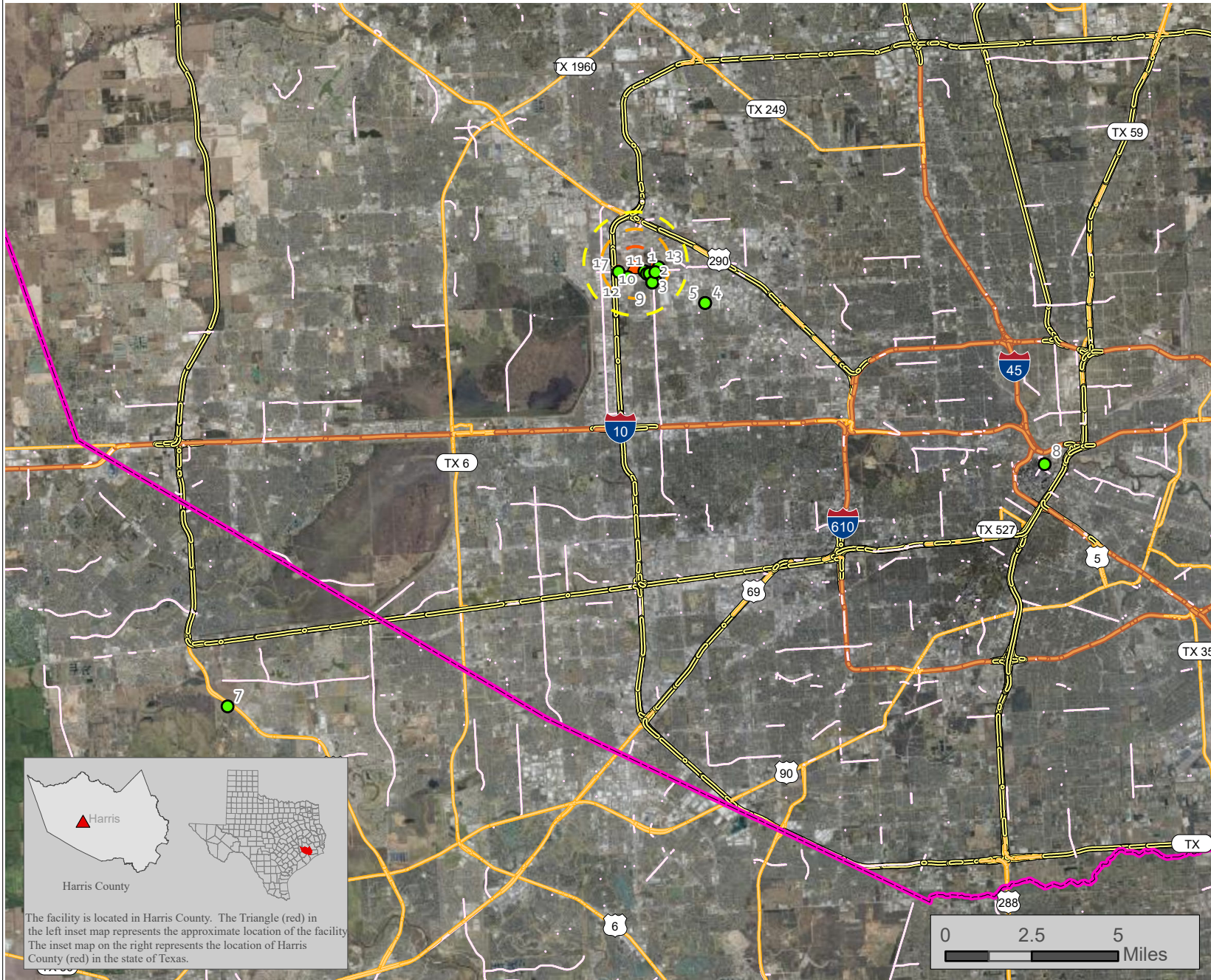
Location of Requestors -- USA Waste of Texas Landfills, Inc. Permit 2185A

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



*Protecting Texas by
Reducing and
Preventing Pollution*

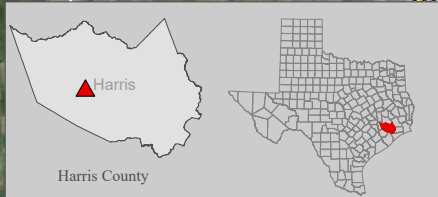
Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 4/4/2023
CRF 0086012
Cartographer: jbartlin



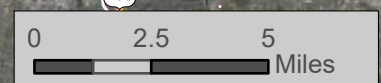
- Requestors
- ▲ Facility
- 0.5 Mile Radius
- 1.0 Mile Radius
- 1.5 Mile Radius
- County Boundary

Requestor Name and Number

Number	Name
1	Victor Hebert
2	Myra Ann Wrenn Jefferson
3	Damien D. Lawson
4	D.A. Rambo
5	Robert Rigdon
6	Mark Harding on behalf of the Car
7	Lester Whiteing
8	Harris County Attorney's Office
9	Revitalize America Partnership, I
10	Dr. Pamela Roberson, representing
11	Gregory Hudson, individually, and
12	Hope, Healing and Hooves, Inc.
13	Donna Brownlow
14	Iesheia Ayers-Wilson
15	Myra Jefferson, individually, and
16	Celia Lopez
17	Westwind Industries LP



The facility is located in Harris County. The Triangle (red) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Harris County (red) in the state of Texas.



Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

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**Attachment B – Applicant’s List and Map
of Landowners Adjacent to the Proposed Facility**

**HAWTHORN PARK LANDFILL
TCEQ PERMIT NO. 2185A
ADJACENT AND POTENTIALLY AFFECTED LANDOWNERS LIST**

See Landownership Map - (Figure I-B-1)

- 1 HOFFMAN-GLASS FAMILY LTD
19155 CIRCLE LAKE DR
PINEHURST TX 77362-4195
- 2 DITCH & DIRT SERVICE INC
10528 TANNER RD
HOUSTON TX 77041-7200
- 3 DORWAY LTD
10528 TANNER RD
HOUSTON TX 77041-7200
- 4 EQUITY TRUST COMPANY
HOFFMAN MICHAEL D ROTH IRA
19155 CIRCLE LAKE DR
PINEHURST TX 77362-4195
- 5 REPUBLIC WASTE SERVICES TEXAS HAULING LL
% MARY VAUGHN-POA
PO BOX 29246
PHOENIX AZ 85038-9246
- 6 CENTERPOINT ENERGY HOUSTON
PO BOX 1475
HOUSTON TX 77251-1475
- 7 WESTWIND INDUSTRIES LP
3 RIVERWAY STE 1025
HOUSTON TX 77056-1956
- 8 DANCY 2016 LLC
10423 W GULF BANK RD
HOUSTON TX 77040-3127
- 9 WATERS PEYTON D
WATERS PEYTON D SR ET AL
WATERS PEYTON D JR
PO BOX 40817
HOUSTON TX 77240-0817
- 10 MILNER PARTNERS LTD
PO BOX 580
BARKER TX 77413
- 11 TANNER ROAD FACILITY LP
10415 TANNER RD
HOUSTON TX 77041-7439
- 12 VAZQUEZ GABRIELA AMARANTA
5437 CLARA RD
HOUSTON TX 77041-7201
- 13 BEVIS ANTHONY ROSS
10116 FM 443
SHINER TX 77984-6484
- 14 SOUTHWEST INVESTMENTS DIV
5615 CLARA RD
HOUSTON TX 77041-7208
- 15 CEE SAN MACHINE & FABRICATION INC
% CHARLES SLERRETT
5609 CLARA RD
HOUSTON TX 77041-7208
- 16 COUNTY OF HARRIS
PO BOX 1525
HOUSTON TX 77251-1525
- 17 CLAY 6-5520 CLARA LLC
PO BOX 37109
HOUSTON TX 77237-7109
- 18 CLAY PARTNERS 5518 CLARA LP
PO BOX 37109
HOUSTON TX 77237-7109
- 19 CLAY #6 5516 CLARA LLC
PO BOX 37109
HOUSTON TX 77237-7109

20 CLAY PARTNERS 5514 CLARA LP
PO BOX 37109
HOUSTON TX 77237-7109

21 CLAY CMBS NO 2 LP
PO BOX 37109
HOUSTON TX 77237-7109

22 CLAY PARTNERS
5514 CLARA LP
PO BOX 37109
HOUSTON TX 77237-7109

23 CLARA ROAD BUSINESS PARK POA
PO BOX 37109
HOUSTON TX 77237-7109

24 1701 WEBSTER LTD
11312 KINGSWORTHY LN
HOUSTON TX 77024-7433

25 BUILDING PLASTICS INC
3263 SHARPE AVE
MEMPHIS TN 38111-3729

26 CARVERDALE CHURCH OF CHRIST
5539 TRIWAY LN
HOUSTON TX 77041-7419

27 MA JIAN Z
LUONG ELAINE
20506 SPRING ROSE DR
KATY TX 77450-8236

28 JCC INVSTMT LTD
5120 PINE ST
BELLAIRE TX 77401-4910

29 INTERNATIONAL BANK COMM
1717 SAINT JAMES PL STE 136
HOUSTON TX 77056-3404

30 LYBARGER LOYAL
PO BOX 40214
HOUSTON TX 77240-0214

31 LIEN TAM T
9008 ELSIE LN
HOUSTON TX 77064-7706

32 FLORES ERIKA
10344 TANNER RD
HOUSTON TX 77041-7402

33 ZELAYA ENRIQUE V
PEREZ LESBIA D
10348 TANNER RD
HOUSTON TX 77041-7402

34 BOTARD ROY A
PO BOX 1286
HUNTSVILLE TX 77342-1286

35 RODRIGUEZ JOSE R
OSEGUEDA RONALD
1009 KING LN
LAREDO TX 78045-8112

36 ENOSIS ENTERPRISES I II LP
11240 FM 1960 RD W STE 408
HOUSTON TX 77065-3663

37 NICOLE MADISON PROPERTIES LLC
505 BASTROP ST APT 508
HOUSTON TX 77003-2238

38 ZEHPYR REALTY GROUP LLC
3226 LOGANCREST CT
KATY TX 77494-2293

39 RIVERA CUPERTINO ESTATE OF
3860 EICHMAN RD
POTEET TX 78065-4669

40 GONZALES AMELIA R & JUAN
10311 TANNER RD
HOUSTON TX 77041-7401

41 HEBERT VICTOR E
5651 TRIWAY LN
HOUSTON TX 77041-7421

42 AMADOR DAVID
5639 TRIWAY LN
HOUSTON TX 77041-7421

43 ORTEGA VIRGINIA
8734 SONNEVILLE DR
HOUSTON TX 77080-3533

44 HEBERT EMMA P TRE ET AL
C/O VICTOR E HEBERT
5651 TRIWAY LN
HOUSTON TX 77041-7421

45 FLORES JUAN PABLO & MERARI
10262 MOROCCO RD
HOUSTON TX 77041-7430

46 MORENO TEODORA
5615 TRIWAY LN
HOUSTON TX 77041-7421

47 HERRARA TRINIDAD & LETICIA
7914 FALL HOLLOW DR
HOUSTON TX 77041-1294

48 LEIJA JUAN
2010 BEACON CHASE CT
SPRING TX 77373-2705

49 PACKER MARY E
1301 SWEET GUM LN
KINGWOOD TX 77339-3250

50 RILEY PAMELA
10267 TANNER RD
HOUSTON TX 77041-7435

51 ROBINSON SIMONE
10267 TANNER RD
HOUSTON TX 77041-7435

52 WILLIAMS FRANK
10267 TANNER RD
HOUSTON TX 77041-7435

53 STEVENSON ELIZABETH ET AL
PO BOX 430109
HOUSTON TX 77243

54 MUNOZ ADOLFO
2815 CAMPBELL RD STE A
HOUSTON TX 77080-3919

55 FRAGOSO ANJEL ALFONSO
7200 CLAREWOOD DR APT 1502
HOUSTON TX 77036-4412

56 CITY OF HOUSTON
PO BOX 1562
HOUSTON TX 77251-1562

57 MUNOZ NOE A
2815 CAMPBELL RD STE A
HOUSTON TX 77080-3919

58 CURTIS WILLIE C
PO BOX 40276
HOUSTON TX 77240-0276

59 CURTIS WILLIE C SR
10215 TANNER RD
HOUSTON TX 77041-7435

60 CHO JAE H
5310 GOLDEN WINGS CT
HOUSTON TX 77041-6581

61 CHO JIN J
5310 GOLDEN WINGS CT
HOUSTON TX 77041-6581

62 COSSEY DALE
PO BOX 41943
HOUSTON TX 77241-1943

63 GARCIA MERANDA
GARCIA SHAUN
9209 EMNORA LN
HOUSTON TX 77080-4420

64 TRUONG DIEP NGOC
10206 MOROCCO RD
HOUSTON TX 77041-7430

65 IND GDNS TABERNACLE CH OF
223 COCKEREL ST
HOUSTON TX 77018-6628

66 FAIRBANKS CHURCH OF GOD
IN CHRIST INC
PO BOX 41193
HOUSTON TX 77241-1193

67 VILELA ORLANDO R
VALLEZA RUYNALDA
10267 PORTO RICO
HOUSTON TX 77041

68 BALLEZA REYNALDA M
10270 MOROCCO RD
HOUSTON TX 77041-7430

69 RODRIGUEZ JUAN
10266 MOROCCO RD
HOUSTON TX 77041-7430

70 WELLS-BROUGHTON YOLANDA Y
10258 MOROCCO RD
HOUSTON TX 77041-7430

71 CHAFOYA HUMBERTO
10313 MOORBERRY LN
HOUSTON TX 77043-2611

72 ZUNIGA FLORENTINO V
11255 TANNER RD UNIT 43
HOUSTON TX 77041-7022

73 JONES TOMMY
10238 MOROCCO RD
HOUSTON TX 77041-7430

74 BRYANT ROBERT EARL
10234 MOROCCO RD
HOUSTON TX 77041-7430

75 STERLING VENESSIA D
19306 COUGAR PEAK DR
TOMBALL TX 77377-7647

76 HUDSON GREGORY
10222 MOROCCO RD
HOUSTON TX 77041-7430

77 SMITH MELVIN
10222 PORTO RICO RD
HOUSTON TX 77041-7432

78 GONZALES MARIA L
10214 MOROCCO RD
HOUSTON TX 77041-7430

79 HALL DELLIA T
10210 MOROCCO RD
HOUSTON TX 77041-7430

80 HOWARD ANTHONY ESTATE OF
5618 TRIWAY LN
HOUSTON TX 77041-7422

81 MACKEY AARON
5614 TRIWAY LN
HOUSTON TX 77041-7422

82 VELASQUEZ AMBROSIO
19403 BEAR MEADOW LN
KATY TX 77449-5575

83 RAMOS MARCOS T
TRUJILLO RAUL
TRUJILLO NICOLE
10271 MOROCCO RD
HOUSTON TX 77041-7429

84 ROBERSON PAM
10267 MOROCCO RD
HOUSTON TX 77041-7429

85 KASBIDI MORETEZA
PO BOX 570491
HOUSTON TX 77257-0491

86 MONICO BONIFACIO
VILLANUEVA MARTHA A
10255 MOROCCO RD
HOUSTON TX 77041-7429

87 LONG ARTIS JR & PEARL
10251 MOROCCO RD
HOUSTON TX 77041-7429

88 NISHIMOTO JOSEPH
10247 MOROCCO RD
HOUSTON TX 77041-7429

89 NGO DALE V
11235 ASHFORD HILLS DR
SUGAR LAND TX 77478-6132

90 AYERS BEVERLY
10235 MOROCCO RD
HOUSTON TX 77041-7429

91 MONCADA MARIA M
MONCADA RODOLFO C
10226 BAMBOO RD
HOUSTON TX 77041-7426

92 VAZQUEZ GABRIELA
5441 CLARA RD
HOUSTON TX 77041-7201

93 OROZCO RAUL
10215 MOROCCO RD
HOUSTON TX 77041-7429

94 LEDEZMA JESUS & JOSEFINA C
6406 SAXET ST
HOUSTON TX 77055-5317

95 SHIRALINEZHAD ALIREZA
10927 BRITT WAY
HOUSTON TX 77043-2714

96 HUYNH ANH N
10047 BAMBOO RD
HOUSTON TX 77041-7520

97 KEPNER JANET B
162 STONEY CREEK DR
HOUSTON TX 77024-6220

98 MONTEZ PHILIPPA
PO BOX 90296
HOUSTON TX 77290-029

99 ROBERTS JAMES ESTATE OF
18135 DINNER CREEK DR
KATY TX 77449-4451

100 JUAREZ CATRINA LARA ESTATE OF
PO BOX 40214
HOUSTON TX 77240-0214

101 SUAREZ ERIKA E
GARDUNO YAIR A
10262 BAMBOO RD
HOUSTON TX 77041-7426

102 ARCINIEGA FEDERICO
10262 BAMBOO RD
HOUSTON TX 77041-7426

103 FIERROS ALMA
14442 MEADOW ESTATES LN
CYPRESS TX 77429-4595

104 WARREN BESSIE RUTH
10254 BAMBOO RD
HOUSTON TX 77041-7426

105 FOSHA MICHAEL
10250 BAMBOO RD
HOUSTON TX 77041-7426

106 FLORES ANGEL S & CARMEN A
10246 BAMBOO RD
HOUSTON TX 77041-7426

107 ESPINOSA JUAN C
BOTELLO MIRIAM
10236 BAMBOO RD
HOUSTON TX 77041-7426

108 MARTINEZ LUIS I
FLORES ELSA
10234 BAMBOO RD
HOUSTON TX 77041-7426

109 ROMAN LIDUVINA T & JOEL
10232 BAMBOO RD
HOUSTON TX 77041-7426

110 FIGURES JULIUS E
10230 BAMBOO RD
HOUSTON TX 77041-7426

111 VEGA ALFONSO & SANDRA
10224 BAMBOO RD
HOUSTON TX 77041-7426

112 GARCIA GUADALUPE
10218 BAMBOO RD
HOUSTON TX 77041-7426

113 WOODS HERMAN LEO
10279 BAMBOO RD
HOUSTON TX 77041-7425

114 WOODS DOROTHY M
5534 TRIWAY LN
HOUSTON TX 77041-7437

115 CARPER EMMA F
10275 BAMBOO RD
HOUSTON TX 77041-7425

116 SIMPSON TERESA I
10271 BAMBOO RD
HOUSTON TX 77041-7425

117 ROSS MYRTLE CALTON
5819 BEESTON LN
HOUSTON TX 77084-1399

118 PHILLIPS JESSIE MAE
10263 BAMBOO RD
HOUSTON TX 77041-7425

119 MORALES ANGEL & LORENA
10227 BAMBOO RD
HOUSTON TX 77041-7425

120 MORENO LEON & JUANA
10243 BAMBOO RD
HOUSTON TX 77041-7425

121 ROMAN ZENAIDO
10235 BAMBOO RD
HOUSTON TX 77041-7425

122 CASTILLO JORGE A
10231 BAMBOO RD
HOUSTON TX 77041-7425

123 SURIA ANA
14014 SANDALFOOT ST
HOUSTON TX 77095-2972

124 CEPEDA RODOLFO M
10226 BAMBOO RD
HOUSTON TX 77041-7426

125 TURNER HELEN G & TRUSTEE
13908 HOLLOW CANYON LN
ROSHARON TX 77583-2042

126 BOXIE CYNTHIA MARIE
6711 CASTLEVIEW LN
MISSOURI CITY TX 77489-2618

127 SAUSON INVESTMENT CORP
11814 NEWPORT SHORE
HOUSTON TX 77065-3991

128 WOODARD AISHA A
9026 COBBLE FALLS CT
HOUSTON TX 77095-2874

129 ALVAREZ JUANA L &
ALVARADO CARLOS A
10262 PORTO RICO RD
HOUSTON TX 77041-7432

130 DELGADO YADIRA A & ERIC
10242 PORTO RICO RD
HOUSTON TX 77041-7432

131 TYLER ANNIE
CURREY JOE L
10250 PORTO RICO RD
HOUSTON TX 77041-7432

132 ROBERSON ALFRED
10238 PORTO RICO RD
HOUSTON TX 77041-7432

133 ROBERTS LOIS J
10230 PORTO RICO RD
HOUSTON TX 77041-7432

134 RL MARIPOSA LC
2499 JUDIWAY ST # NO920588
HOUSTON TX 77018-5840

135 SMITH CALVIN E & RUTH L
5510 TRIWAY LN
HOUSTON TX 77041-7420

136 AAA STAR CONSTRUCTION INVESTMENTS
ENTERPRISES INC
8307 BENDING BRANCH LN
CYPRESS TX 77433-1427

137 FOSTER EDNA
10271 PORTO RICO RD
HOUSTON TX 77041-743

138 SALINAS IGNACIO A
GARCIA MARIA G
10263 PORTO RICO RD
HOUSTON TX 77041-7431

139 SCOTT JOYCE MARIE
10259 PORTO RICO RD
HOUSTON TX 77041-7431

140 CHAVEZ JULIO C
2121 PECH RD APT 151
HOUSTON TX 77055-1158

141 CURRY CORA MAE ESTATE OF
CURRY JOE
CURRY SALLY ETAL
% CURRY LONZO ESTATE OF
10251 PORTO RICO RD
HOUSTON TX 77041-7431

142 SANCHEZ JESUSITA
10035 BURNSIDE LN
HOUSTON TX 77041-7524

143 FLORES BLANCA
10243 PORTO RICO RD
HOUSTON TX 77041-7431

144 CRUZ ROLANDO
MAURICIO BERNARDITA
10239 PORTO RICO RD
HOUSTON TX 77041-7431

145 SMITH CARL M
5506 TRIWAY LN
HOUSTON TX 77041-7420

146 WHITEING HERMAN & ROSEMARY
10134 ALFRED LN
HOUSTON TX 77041-6104

147 WHITEING RICHARD ESTATE OF
% BEVERLY MATHEWS & ROSEMARY REYNOLDS
4907 LINGONBERRY ST
HOUSTON TX 77033-3515

148 MARIA ISABEL REUTER RESIDUARY TRUST
2508 MARONEAL ST
HOUSTON TX 77030-3118

149 GESSNER TANNER TEXACO INC
5701 GESSNER RD
HOUSTON TX 77041-6001

150 KIM YONG KYU & CHONG HYE
15801 TAHOE DR
HOUSTON TX 77040-1241

151 JOHNSON JOHNNIE L
10150 HARDISON LN
HOUSTON TX 77041-6137

152 ROCK FIN COUNTERTOPS INC
5830 GESSNER RD
HOUSTON TX 77041-6004

153 ANTON NANCY R
1723 PEER DR
HOUSTON TX 77043-3322

154 GOBARE INC
11810 CYPRESS PARK DR
HOUSTON TX 77065-1108

155 BANKS DOROTHY
10150 ALFRED LN
HOUSTON TX 77041-6104

156 CHURCH ALAN L
110 CHERRY HILLS DR
JERSEY VILLAGE TX 77064-4071

157 EAAF ANDRADE PLUMBING LLC
2317 PEPPERMILL DR
HOUSTON TX 77080-5513

158 ANTON STEVEN P
3316 SUL ROSS ST
HOUSTON TX 77098-1808

159 BROWN BARBARA
FOSHA RUTH ET AL
10150 GROVER LN
HOUSTON TX 77041-6114

160 JAPAN MACHINE TOOLS CORP
10171 OLGA LN
HOUSTON TX 77041-6121

161 ALKEN INTERNATIONAL CORP
PO BOX 40923
HOUSTON TX 77240-0923

162 LAWDER MICHEAL L
7457 HOLLISTER ST
HOUSTON TX 77040-5325

163 SHAMSALDEEN MOUSTAFA
10401 TOWN AND COUNTRY WAY # 314
HOUSTON TX 77024-1181

164 EQUITY TRUST COMPANY
LI LINUS
12335 KINGSRIDE LN UNIT 352
HOUSTON TX 77024-4116

165 IVEST INC
% GUARDIAN MANAGEMENT
9215 SOLON RD STE D1
HOUSTON TX 77064-1236

166 PROLOGIS
SECURITY CAPITAL IND TRUST
KTR HOU I LP
1800 WAZEE ST
DENVER CO 80202-1577

167 ARGUETA INGRID ISABEL
10247 OKANELLA ST
HOUSTON TX 77041-5317

168 BARESCH SHERRY
6307 NYOKA ST
HOUSTON TX 77041-5313

169 BLEVINS RONALD V
10235 OKANELLA ST
HOUSTON TX 77041-5317

170 S J CHOYCE PROPERTY LLC
27302 ROYAL CANYON LN
KATY TX 77494-5706

171 SALAZAR JOSE & JUANE M
7914 KELLWOOD DR
HOUSTON TX 77040-2738

172 TEXAS DEVELOPMENT COMPANY
ATTN: RAYMOND A KRELL
1600 SMITH ST STE 3885
HOUSTON TX 77002-7345

173 WEST LITTLE YORK #100 LTD
% RAYMOND A KRELL
1600 SMITH ST STE 3885
HOUSTON TX 77002-7345

174 DO MACHINE SHOP INC
10110 HARDISON LN
HOUSTON TX 77041-6137

175 WALLACE HAZEL N
6319 NYOKA ST
HOUSTON TX 77041-5313

176 RITTIMAN DARRELL W
C & A MACHINE & REPAIR SERVICES INC
6227 NYOKA ST
HOUSTON TX 77041-5311

177 COSSEY DALE
109 DRIFTWOOD DR
LAKE JACKSON TX 77566-4435

178 RIVERA GILBERT & SULEMA
12818 AUBURN SPRINGS LN
CYPRESS TX 77433-1343

179 AGUILAR ALEJANDRO
AGUILAR MIGUEL
AGUILAR JOSE EVARISTO
6206 KEYKO ST
HOUSTON TX 77041-5310

180 KEYKO STREET HOLDINGS
PO BOX 6033
KINGWOOD TX 77325-6033

181 CAMECHO J CONSEPCION & EVA
6310 NYOKA ST
HOUSTON TX 77041-5314

182 AGUILAR PEDRO D
6302 NYOKA ST
HOUSTON TX 77041-5314

183 MENDEZ ADRIAN M
MONTIEL OLIVIA
6226 NYOKA ST
HOUSTON TX 77041-5312

184 HOUCHINS WAREHOUSE TRUST
1210 MIRAMAR ST
HOUSTON TX 77006-5812

185 AMERITURN CORP
6210 NYOKA ST
HOUSTON TX 77041-5312

186 EICHENOUR CLAUDE
6208 NYOKA ST
HOUSTON TX 77041-5312

187 ALVARADO NICHOLAS & MARY
6202 NYOKA ST
HOUSTON TX 77041-5312

188 ROCK SOLID BUILDING MANAGEMENT LLC
6227 KEYKO ST
HOUSTON TX 77041-5309

189 GARCIA FRANCISCO J
GARCIA MARTHA A
10447 NORTON DR
HOUSTON TX 77043-2126

190 FLORES NORA C
5503 BROOKHOLLOW OAKS TRL
HOUSTON TX 77084-6051

191 ORTEGA LEE
ORTEGA DRYWALL CO
10215 PAPALOTE ST STE 2
HOUSTON TX 77041-5383

192 SEMPE W H JR
6222 KEYKO ST
HOUSTON TX 77041-5310

193 AIC MANAGEMENT
3427 ASHTON PARK DR
HOUSTON TX 77082-5309

194 OMEGA DRYWALL CO INC
3010 EULA MORGAN RD
KATY TX 77493-4816

195 ROMAN JOEL & LIDUVINA
5531 WINDFERN RD
HOUSTON TX 77041-7561

196 WESTERN B SOUTH TX LLC
P O BOX A3879
CHICAGO IL 60690-3879

197 10535 FISHER ROAD LLC
PO BOX 40267
HOUSTON TX 77240-0267

198 VINA INVESTMENT INC
10533 FISHER RD
HOUSTON TX 77041-4083

199 DRILLTECH SERVICES INC
10537 FISHER RD
HOUSTON TX 77041-4083

200 CF-TECH LLC
PO BOX 41185
HOUSTON TX 77241-1185

201 PJJP LLC
200 W INDUSTRIAL LAKE DR
LINCOLN NE 68528-1511

202 BLACK ROCK PARTNERS LLC
PO BOX 41881
HOUSTON TX 77241-1881

203 HUNTER LYN REAL ESTATE DEVELOPMENT LP
6100 W SAM HOUSTON PKWY N
HOUSTON TX 77041-5113

204 SCHILD INVESTMENTS INC
15509 WALDWICK DR
TOMBALL TX 77377-8668

205 LARY BERTON R JR
PO BOX 707
PATTISON TX 77466-0707

206 PETROLVALVES LLC
% ROBERT R ONEAL TRUSTEE
6000 W SAM HOUSTON PKWY N
HOUSTON TX 77041-5190

207 5820 W SAM HOUSTON PARKWAY N LLC
1722 E KING PLACE
TULSA OK 74110-4903

208 SHENOY HOLDINGS LP
5808 W SAM HOUSTON PKWY N
HOUSTON TX 77041-5136

209 VERBET INDUSTRIES LLC
25602 FOXRUN VISTA DR
KATY TX 77494-3977

210 ALPINE STORES INC
12710 S KIRKWOOD RD
STAFFORD TX 77477-3810

211 JOSEPH ANNIE D
10610 TANNER RD
HOUSTON TX 77041-

212 MACEDONIA MISSIONARY BAPTIST CHURCH
5510 W SAM HOUSTON PKWY N
HOUSTON TX 77041-5138

213 LETOURNEAU TECHNOLOGIES DRILLING SYS INC
ATTN TAX DEPT
PO BOX 1212
HOUSTON TX 77251-1212

214 CLAY CMBS NO 1 LP
PO BOX 37109
HOUSTON TX 77237-7109

215 NORTHWEST HOUSTON INDUSTRIAL LLC
3000 RACE ST STE 100
FORT WORTH TX 76111-4116

216 FOUR SEASONS BUS PK II LTD
5825 W SAM HOUSTON PKWY N
HOUSTON TX 77041-5137

217 KATY WEST BELT ABCO LLC
2121 BRITTMORE RD STE 2200
HOUSTON TX 77043-2220

218 GUPTA INVESTMENTS LP
13331 REECK CT
SOUTHGATE MI 48195-3054

219 W HARVEY SPARKMAN LLC
PO BOX 96558
OKLAHOMA CITY OK 73143-6558

220 FASTRAC FOOD STORES INC
% KARIM W MOMIN
7506 SPRING CYPRESS RD
SPRING TX 77379-3111

221 WELCOME INDUSTRIAL SUB 60 LLC
5858 WESTHEIMER RD STE 800
HOUSTON TX 77057-5777

222 MAP ID NOT USED
PARCEL OWNERSHIP
SAME AS MAP ID 221

223 PACKER MARY
2930 KISMET LN
HOUSTON TX 77043-1322

224 ESPINOSA ARIAM RUBI
10274 PORTO RICO RD
HOUSTON TX 77041-

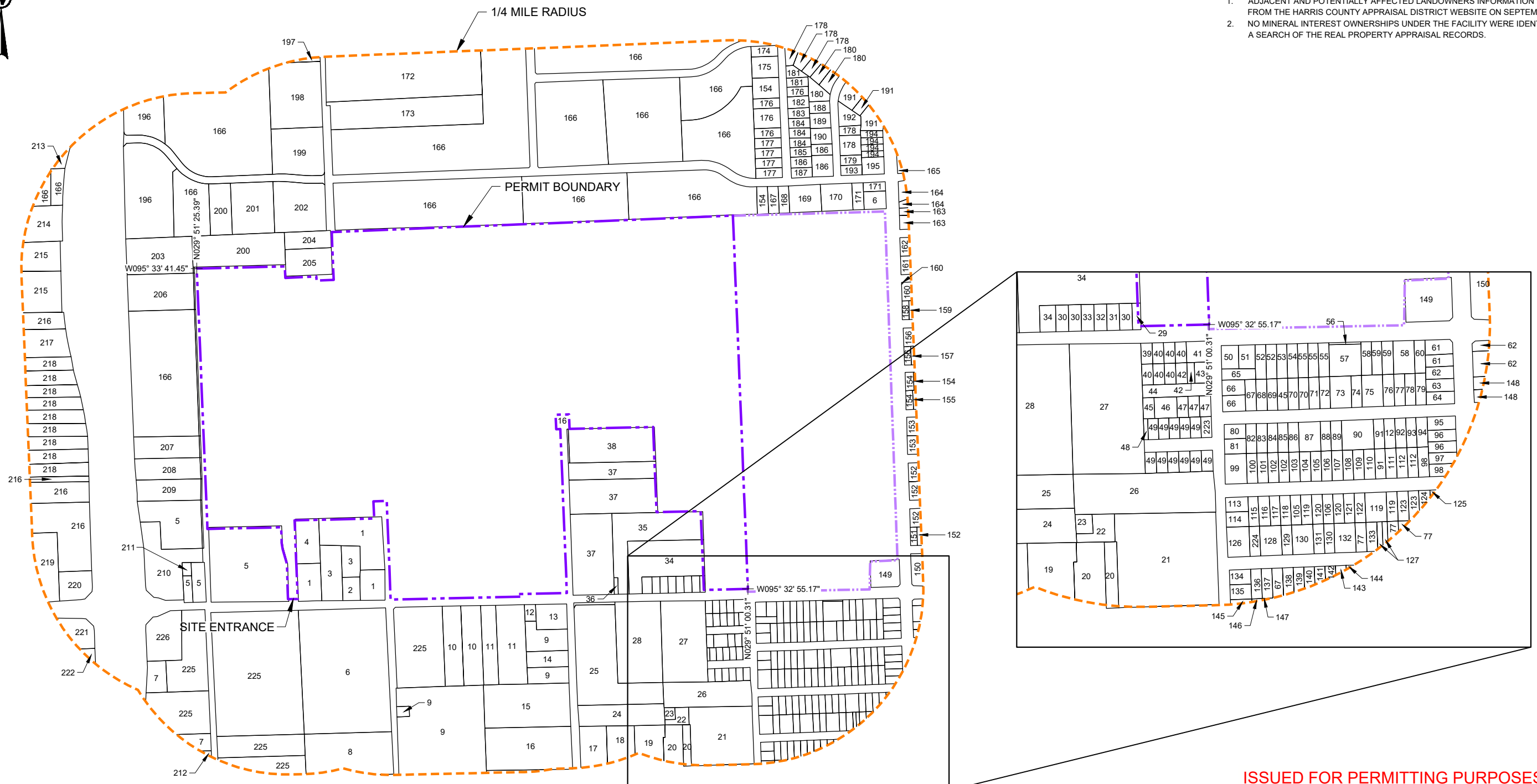
225 WESTWIND INDUSTRIES LP
C/O LARRY MARTIN
10423 W GULF BANK RD
HOUSTON TX 77040-3127

226 TANNER BELTWAY RETAIL PARTNERS LTD
1207 ANTOINE DR
HOUSTON TX 77055-6920

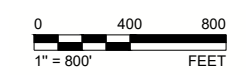


LEGEND	
	PERMIT BOUNDARY
	PROPERTY BOUNDARY
244	PARCEL IDENTIFIER - SEE LAND OWNERSHIP LIST

- NOTE(S)**
- ADJACENT AND POTENTIALLY AFFECTED LANDOWNERS INFORMATION WAS OBTAINED FROM THE HARRIS COUNTY APPRAISAL DISTRICT WEBSITE ON SEPTEMBER 29, 2021.
 - NO MINERAL INTEREST OWNERSHIPS UNDER THE FACILITY WERE IDENTIFIED BASED ON A SEARCH OF THE REAL PROPERTY APPRAISAL RECORDS.



ISSUED FOR PERMITTING PURPOSES ONLY



Path: \\golder-gbl-complex\data\office\houston-north\landownermanagement\hawthornpark\1894289_2020\paul001_dwg\1894289_2020\paul001.dwg | File Name: 1894289-001-037.dwg

REV.	YYYY-MM-DD	DESCRIPTION	DESIGNED	PREPARED	REVIEWED	APPROVED
2	2021-09-29	LANDOWNER INFORMATION UPDATE	TNB	TNB	JBF	CGD
1	2021-03	1st NOD	PKP	TNB	JBF	CGD
0	2021-02	ISSUED FOR PERMITTING PURPOSES	PKP	PKP	JBF	CGD

SEAL

CHARLES G. DOMINGUEZ
83247
LICENSED PROFESSIONAL ENGINEER
10/15/2021

GOLDER ASSOCIATES INC.
TEXAS REGISTRATION F-2578

CLIENT

CONSULTANT

HOUSTON NORTH OFFICE
14950 HEATHROW FOREST PKWY, STE 280
HOUSTON, TEXAS 77032
USA
(281) 821-6868
www.golder.com

PROJECT
HAWTHORN PARK RECYCLING & DISPOSAL FACILITY
PERMIT AMENDMENT APPLICATION
TCEQ PERMIT NO. MSW-2185A

TITLE
LAND OWNERSHIP MAP

PROJECT NO. 1894269	APPLICATION SECTION I - APP. B	REV. 2	1 of 1	FIGURE I-B-1
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1 in. IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI B

CERTIFICATE OF SERVICE

I certify that, on April 17, 2023, the Executive Director's Response to Hearing Requests and Requests for Reconsideration on the application by USA Waste of Texas Landfills, Inc., MSW Permit No. 2185A was filed with the TCEQ's Office of the Chief Clerk and that a complete copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.



Anthony Tatu, Staff Attorney
Environmental Law Division
State Bar No. 00792869
P.O. Box 13087, MC-173
Austin, Texas 78711-3087
Phone (512) 239-5778
Fax: (512) 239-0606