Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director* 



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2025

TO: All interested persons.

RE: Waste Connections Lone Star, Inc.

Laurie Gharis

MSW Permit No. 2420

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at <a href="mailto:chiefclk@tceq.texas.gov">chiefclk@tceq.texas.gov</a>.

Should you have any questions, please contact Ellie Guerra of the Texas Commission on Environmental Quality's Office of the Chief Clerk (MC 105) at (512) 239-3329.

Sincerely,

Laurie Gharis Chief Clerk

LG/erg

**Enclosure** 

# EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT for Waste Connections Lone Star Inc.

## Waste Connections Lone Star, Inc. MSW Permit No. 2420

The Executive Director has made the Response to Public Comment (RTC) for the application by for MSW Permit No. 2420 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link: <a href="https://www.tceq.texas.gov/goto/cid">https://www.tceq.texas.gov/goto/cid</a>

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (2420) and click the "Search" button. The search results will display a link to the RTC.

Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at <a href="mailto:chiefclk@tceq.texas.gov">chiefclk@tceq.texas.gov</a>.

#### **Additional Information**

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040.

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Schafer Library, 6322 US Hwy 87 E, San Antonio, Texas 78222.

Brooke T. Paup, *Presidenta*Bobby Janecka, *Comisionado*Catarina R. Gonzales, *Comisionada*Kelly Keel, *Directora Ejecutiva* 



## COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Protegiendo a Texas reduciendo y previniendo la contaminación

#### 27 de marzo de 2025

TO: Todas las personas interesadas.

RE: Waste Connections Lone Star, Inc.

Laurie Gharis

MSW Permiso N.º 2420

Se adjuntan a esta carta las instrucciones para ver en Internet la Respuesta del Director Ejecutivo al Comentario Público (RTC). Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a <a href="mailto:chiefclk@tceq.texas.gov">chiefclk@tceq.texas.gov</a>.

Si tiene alguna pregunta, comuníquese con Ellie Guerra de la Oficina del Secretario Oficial de la Comisión de Calidad Ambiental de Texas (MC 105) al (512) 239-3329.

Atentamente,

Laurie Gharis Secretaria Oficial

LG/erg

Recinto

## RESPUESTA DEL DIRECTOR EJECUTIVO AL COMENTARIO DEL PÚBLICO para

## Waste Connections Lone Star, Inc. MSW Permiso N.º 2420

El Director Ejecutivo ha puesto a disposición de Internet la respuesta al comentario público (RTC) para la solicitud de Waste Connections Lone Star, Inc. del permiso de MSW N.º 2420. Puede ver e imprimir el documento visitando la Base de Datos Integrada de los Comisionados de TCEO en el siguiente enlace:

https://www.tceq.texas.gov/goto/cid

Para ver el RTC en el enlace anterior, ingrese el número de identificación TCEQ para esta solicitud (2420) y haga clic en el botón "Buscar". Los resultados de la búsqueda mostrarán un enlace al RTC.

Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov.

#### Información adicional

Para obtener más información sobre el proceso de participación pública, puede comunicarse con la Oficina del Asesor de Interés Público al (512) 239-6363 o llamar al Programa de Educación Pública, al número gratuito, (800) 687-4040.

Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios, están disponibles para su revisión en la Oficina Central de TCEQ en Austin, Texas. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en Schafer Library, 6322 US Hwy 87 E, San Antonio, Texas 78222

## MAILING LIST / LISTA DE CORREO Waste Connections Lone Star, Inc. MSW Permit No. / MSW Permiso N.º 2420

## FOR THE APPLICANT / PARA EL SOLICITANTE:

Brett O'Connor, Region Engineering Manager Waste Connections Lone Star, Inc. 3 Hughes Landing, 8th Floor The Woodlands, Texas 77381

Charles Marsh, P.E, Project Director Weaver Consultants Group LLC 6429 Southwest Boulevard, Suite 206 Fort Worth, Texas 76109

## <u>INTERESTED PERSONS /</u> PERSONAS INTERESADAS:

See attached list. / Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR / PARA EL DIRECTOR EJECUTIVO via electronic mail / por correo electrónico:

Ryan Vise, Deputy Director Texas Commission on Environmental Quality External Relations Division Public Education Program MC-108 P.O. Box 13087 Austin, Texas 78711-3087

Nicholas Pilcher, Staff Attorney Texas Commission on Environmental Quality Environmental Law Division MC-173 P.O. Box 13087 Austin, Texas 78711-3087 Mamadou Balde, P.E., Technical Staff Texas Commission on Environmental Quality Waste Permits Division MSW Permits Section MC-124 P.O. Box 13087 Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL / PARA ABOGADOS DE INTERÉS PÚBLICO via electronic mail / por correo electrónico:

Garrett T. Arthur, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK / PARA EL SECRETARIO OFICIAL via electronic mail por correo electrónico:

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

| ACOSTA, DANIEL           | ACOSTA , JESUS J          | AGUIRRE, YULMA            |
|--------------------------|---------------------------|---------------------------|
| 1109 NOVELLA             | 726 NOVELLA               | 915 KAYROE RD             |
| ADKINS TX 78101-9761     | ADKINS TX 78101-9797      | ADKINS TX 78101-9453      |
|                          |                           |                           |
|                          |                           |                           |
| ALECDIA DATRICIA         | ALVADADO, ELOICA          | ALVADADO LUCIA            |
| ALEGRIA , PATRICIA       | ALVARADO, ELOISA          | ALVARADO, LUCIA           |
| 1102 KAYROE RD           | 803 NOVELLA               | 1011 KAYROE RD            |
| ADKINS TX 78101-9706     | ADKINS TX 78101-3350      | ADKINS TX 78101-9766      |
|                          |                           |                           |
|                          |                           |                           |
| ALVARADO SR , RAY        | ALVIZO , DEANNA           | ALVIZO , JOSE             |
| 1322 KAYROE RD           | 919 KAYROE RD             | 919 KAYROE RD             |
| ADKINS TX 78101-9794     | ADKINS TX 78101-9453      | ADKINS TX 78101-9453      |
|                          |                           |                           |
|                          |                           |                           |
| ALVIZO , MARGARITA       | ANGELES , JUAN            | ARMSTRONG , EDWARD        |
| 919 KAYROE RD            | 10281 FM 1346             | 1303 HOUGH                |
| ADKINS TX 78101-9453     | ADKINS TX 78101-3328      | ADKINS TX 78101-3321      |
|                          |                           |                           |
|                          |                           |                           |
| BANDA, MARIA             | BLOODWORTH, ANDREW        | BLOODWORTH, TAMMY         |
| 1427 KAYROE RD           | 10419 FM 1346             | 10419 FM 1346             |
| ADKINS TX 78101-9767     | ADKINS TX 78101-3325      | ADKINS TX 78101-3325      |
|                          |                           |                           |
|                          |                           |                           |
| BOLDEN, JB               | BONDS, CLARENCE           | BOULDEN , MARTRELL        |
| 622 NOVELLA              | 718 KAYROE RD             | 10302 LEE ROY LN          |
| ADKINS TX 78101-9708     | ADKINS TX 78101-9796      | ADKINS TX 78101-9707      |
| 1.51.1.16 1.17,0101 3700 | 112.11.10 111 (0101 )//00 | 112111110 111 70101 7707  |
|                          |                           |                           |
| BOYD , JAMES             | BULTON, PHILLIP           | CAMPOS, ALFREDO           |
| 10203 CROWNOVER          | 810 NOVELLA               | 1519 KAYROE RD            |
| ADKINS TX 78101-9718     | ADKINS TX 78101-3500      | ADKINS TX 78101-3343      |
|                          |                           |                           |
|                          |                           |                           |
| CAMPOS, BEN              | CAMPOS , DIANA            | CARDENAS , SERGIO         |
| 710 NOVELLA              | 719 KAYROE RD             | 1502 HOUGH                |
| ADKINS TX 78101-9797     | ADKINS TX 78101-9722      | ADKINS TX 78101-9461      |
|                          |                           |                           |
|                          |                           |                           |
| CEJUDO , OSCAR           | CICHON, CLAYTON           | CICHON, STEPHANIE         |
| 9940 FM 1346             | 9965 FM 1346              | 9965 FM 1346              |
| ADKINS TX 78101-9792     | ADKINS TX 78101-9712      | ADKINS TX 78101-9712      |
|                          |                           | 115111110 111 (0101 )/112 |
|                          |                           |                           |
| CONCERNED CITIZEN ,      | CONCERNED CITIZEN ,       | CONTRERAS , CAROLINA M    |
| 1007 NOVELLA             | 1134 HOUGH                | 1019 HOUGH                |
| ADKINS TX 78101-3352     | ADKINS TX 78101-3319      | ADKINS TX 78101-9773      |
| ADKING 1A /0101-2232     | ADVING 17 (9101-221A      | ADMING 1A /8101-9//3      |
|                          |                           |                           |

CRAIN, JANET CRUZ, BRIDGETTE CRUZ, JESSICA 10960 FM 1346 1502 HOUGH 11060 FM 1346 ADKINS TX 78101-9478 ADKINS TX 78101-9461 ADKINS TX 78101 DELGADO, PAUL DELGADO, MRS NIKKO K DAVILA, ROMELIA 811 NOVELLA 10090 FM 1346 STE C ADKINS TX 78101-3350 ADKINS TX 78101-3330 10090 FM 1346 ADKINS TX 78101-3330 DELOYOLA, TIANA  $\mathsf{DIAZ}$  ,  $\mathsf{YVETTE}$ DRZYMALLA, CARL 1109 HOUGH 1019 HOUGH 10115 FM 1346 ADKINS TX 78101-9769 ADKINS TX 78101-9773 ADKINS TX 78101-3317 DRZYMALLA, LINDA DYE, JEANNIE FRANCIS, JAMES 10115 FM 1346 9955 FM 1346 10315 LEE ROY LN ADKINS TX 78101-3317 ADKINS TX 78101-9712 ADKINS TX 78101-9723 FRIESENHAHN, CARL FRIESENHAHN, CYNTHIA FRIESENHAHN, DONNIE 11060 FM 1346 11060 FM 1346 1003 HOUGH ADKINS TX 78101 ADKINS TX 78101 ADKINS TX 78101-9773 GARZA . MR ALEJANDRO TREVINO GONZALEZ, INOCENTE FRIESENHAHN, MONTY TRLR 12 10314 FM 1346 ADKINS TX 78101-3331 10625 LA VERNIA RD 1207 NOVELLA ADKINS TX 78101-9776 ADKINS TX 78101-3399 GUERRERO, ARTURO GUERRERO, MARGARITA GUERRERO, SYLVIA 1130 KAYROE RD 1127 KAYROE RD 1230 HOUGH ADKINS TX 78101-9706 ADKINS TX 78101-3348 ADKINS TX 78101-9755 GUEVARA, PABLO GUTIERREZ, ANDREW GUTIERREZ, ORLANDO 1319 KAYROE RD 1514 KAYROE RD 1218 HOUGH ADKINS TX 78101-3342 ADKINS TX 78101-3357 ADKINS TX 78101-9755 GUZMAN, MIGUEL HARDWICK, DEBORAH HARDWICK, ROBERT 10602 LA VERNIA RD 140 SCHUWIRTH RD 140 SCHUWIRTH RD ADKINS TX 78101-6000 SAN ANTONIO TX 78263-1302 SAN ANTONIO TX 78263-1302 HERNANDEZ, CUITLAHUAC HERNANDEZ, DIANA HERNANDEZ . DORIS

1123 HOUGH

ADKINS TX 78101-9769

831 KAYROE RD

ADKINS TX 78101-3345

1302 NOVELLA

ADKINS TX 78101-9762

| HERNANDEZ , E K            | HERNANDEZ , ERNESTINA | HERNANDEZ JR , LEON  |
|----------------------------|-----------------------|----------------------|
| 1428 KAYROE RD             | 830 KAYROE RD         | 831 KAYROE RD        |
| ADKINS TX 78101-9795       | ADKINS TX 78101-3344  | ADKINS TX 78101-3345 |
|                            |                       |                      |
|                            |                       |                      |
| HERNANDEZ , LEON           | HERNANDEZ, MATTHEW    | HERNANDEZ, WILL      |
| 830 KAYROE RD              | 1210 HOUGH            | 1211 HOUGH           |
| ADKINS TX 78101-3344       | ADKINS TX 78101-6007  | ADKINS TX 78101-3320 |
|                            |                       |                      |
|                            |                       |                      |
| JUAREZ , JONATHAN D        | KELLEY, LINDA         | KELLEY, LLOYD        |
| 1107 HOUGH                 | 297 E LOOP 1604 S     | NO 2                 |
| ADKINS TX 78101-9769       | ADKINS TX 78101-6003  | 297 E LOOP 1604 S    |
|                            |                       | ADKINS TX 78101-6003 |
|                            |                       |                      |
| KELLEY, PAM                | KELLEY, TERRY         | KELLY, GAYLE         |
| 297 E LOOP 1604 S          | 297 E LOOP 1604 S     | TRLR 1               |
| ADKINS TX 78101-6003       | ADKINS TX 78101-6003  | 10625 LA VERNIA RD   |
|                            |                       | ADKINS TX 78101-9776 |
|                            |                       |                      |
| LOPEZ, JESUS               | M , ROBERT            | MACKAY, MONICA       |
| 814 NOVELLA                | 603 NOVELLA           | 10318 LEE ROY LN     |
| ADKINS TX 78101-3349       | ADKINS TX 78101-9455  | ADKINS TX 78101-9707 |
|                            |                       |                      |
|                            |                       |                      |
| MACKAY, RODNEY             | MACKEY, SHELTON       | MACKEY, SHIRLEY      |
| 10318 LEE ROY LN           | 10334 FM 1346         | 714 KAYROE RD        |
| ADKINS TX 78101-9707       | ADKINS TX 78101-3388  | ADKINS TX 78101-9796 |
|                            |                       |                      |
| MARTINEZ QUINONES , SANDRA | MARTINEZ , ADRIANA    | MARTINEZ , FRANCES   |
| 10048 FM 1346              | 1102 NOVELLA          | 914 NOVELLA          |
| ADKINS TX 78101-3330       | ADKINS TX 78101-3365  | ADKINS TX 78101-9463 |
|                            |                       |                      |
|                            |                       |                      |
| MARTINEZ , GRACIE          | MCINTYRE , LESTER     | MEDEIROS , DIANE M   |
| 711 HOUGH                  | 10318 FM 1346         | TRLR 4               |
| ADKINS TX 78101-9768       | ADKINS TX 78101-3331  | 10625 LA VERNIA RD   |
|                            |                       | ADKINS TX 78101-9776 |
|                            |                       |                      |
| MERLA, JOHNNY              | MIRAMONTES, JAZMINE   | MJELDE , SHARON      |
| 704 KAYROE RD              | 1143 NOVELLA          | 1306 HOUGH           |
| ADKINS TX 78101-9796       | ADKINS TX 78101-9761  | ADKINS TX 78101-9754 |
|                            |                       |                      |
|                            |                       |                      |
| MONTALVO, ELIAS            | MONTALVO , RAYMOND    | MORALES, GENE        |
| 1006 HOUGH                 | 810 KAYROE RD         | 785 KAYROE RD        |
| ADKINS TX 78101-3318       | ADKINS TX 78101-3344  | ADKINS TX 78101-9722 |
|                            |                       |                      |

MORENO, ISMAEL L MORENO, LAURIE MORENO JR, ROBERT 827 HOUGH 831 HOUGH 1475 KAYROE RD ADKINS TX 78101-9465 ADKINS TX 78101-9465 ADKINS TX 78101-9767 OJEDA, ABEL ONTIVEROS, MARIANA PASEK, LYNN 615 KAYROE RD 606 HOUGH 297 E LOOP 1604 S ADKINS TX 78101-9799 ADKINS TX 78101-3316 ADKINS TX 78101-6003 PERALES, ROBERT PEREZ, RION RAMIREZ, GLORIA 719 KAYROE RD 726 KAYROE RD 1343 KAYROE RD ADKINS TX 78101-9722 ADKINS TX 78101-9796 ADKINS TX 78101-3342 RAMIREZ, RENE REAL, BRANDON REAL, CHRIS 10823 LA VERNIA RD 10854 LA VERNIA RD 840 STUART RD ADKINS TX 78101-9819 ADKINS TX 78101-9824 ADKINS TX 78101-3373 REAL, CRAIG ROBLEDO, DENISE RODRIGUEZ, ALFREDO 910 STUART RD 723 KAYROE RD 10194 FM 1346 ADKINS TX 78101-3374 ADKINS TX 78101-9722 ADKINS TX 78101-3329 RODRIGUEZ, CARMEN RODRIGUEZ, JASON RODRIGUEZ, JOCELYN 1078 NOVELLA 1106 NOVELLA 1211 HOUGH ADKINS TX 78101-9758 ADKINS TX 78101-3365 ADKINS TX 78101-3320 RODRIGUEZ, PAUL ROUSH, THERESA RUIZ, AMERICO 1113 NOVELLA 806 HOUGH 1018 NOVELLA ADKINS TX 78101-9761 ADKINS TX 78101-3402 ADKINS TX 78101-9758 RUSIN, MARK RUSIN, WENDY SALINAS, MARIO 9746 FM 1346 9746 FM 1346 10085 FM 1346 ADKINS TX 78101-9728 ADKINS TX 78101-9728 ADKINS TX 78101-3326 SALVATORE, ERICA SERRANO, MARIA ROBERTA SHUNKWIELER, ELEANOR 727 NOVELLA 667 HOUGH 1126 KAYROE RD ADKINS TX 78101-9729 ADKINS TX 78101-3407 ADKINS TX 78101-9706 SKLOSS, PHILA SMITH, DEBRA SMITH, LARRY 141 SCHUWIRTH RD 9940 FM 1346 9940 FM 1346 CONVERSE TX 78109-3131 ADKINS TX 78101-9792 ADKINS TX 78101-9792

STANUSH, EVELYN STANUSH , WAYNE TORRES, BLANCA 11195 FM 1346 1127 NOVELLA 11195 FM 1346 ADKINS TX 78101-9726 ADKINS TX 78101-9726 ADKINS TX 78101-9761 TORRES , DENISE TORRES, MARGARITA TORRES, PEDRO 555 NOVELLA 1003 NOVELLA 1127 NOVELLA ADKINS TX 78101-3403 ADKINS TX 78101-3352 ADKINS TX 78101-9761 VALLE , NATHANIEL VILLASENOR, SANTIAGO VERGARA, INGRID 619 NOVELLA 1404 NOVELLA 6727 TERRA ARK VW ADKINS TX 78101-9455 CONVERSE TX 78109-3810 ADKINS TX 78101-3353 VILLEGAS , SANTIAGO WEST, BARBARA WINGFIELD, NICOLE 791 KAYROE RD TRLR 8 607 KAYROE RD ADKINS TX 78101-9722 10625 LA VERNIA RD ADKINS TX 78101-9799 ADKINS TX 78101-9776 YGLESIAS, CHRIS YGLESIAS, DIANA YGLESIAS, ROGER 9955 FM 1346 9965 FM 1346 9965 FM 1346 ADKINS TX 78101-9712 ADKINS TX 78101-9712 ADKINS TX 78101-9712

#### TCEQ MUNICIPAL SOLID WASTE PERMIT NO. 2420

| APPLICATION BY            | § | BEFORE THE                 |
|---------------------------|---|----------------------------|
| WASTE CONNECTIONS         | § |                            |
| LONE STAR, INC.           | § | <b>TEXAS COMMISSION ON</b> |
| FOR MUNICIPAL SOLID WASTE | § |                            |
| PERMIT NO. 2420           | § | ENVIRONMENTAL QUALITY      |

#### EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comments on the application by Waste Connections Lone Star, Inc., (Applicant or Waste Connections) for Municipal Solid Waste (MSW) Permit No. 2420 to authorize the construction and operation of a new Type V MSW transfer station (the Application).

Before an application is approved, Title 30 Texas Administrative Code (30 TAC) Section (§) 55.156 requires that the Executive Director prepare a response to all timely, relevant, and material, or significant comments received. This response addresses all timely public comments received, whether or not withdrawn.

#### I. Public Comments Received

The Office of Chief Clerk received timely comments from Jesus Acosta, Nikko K. Delgado, Tiana Deloyola, Yvette Diaz, Alejandro Trevino Garza, Will Hernandez, Sandra Martinez Quinones, Ingrid Vergara, and the commenters listed in Attachment A.

#### II. Background

#### A. Facility Description

Waste Connections Lone Star, Inc. has applied for MSW Permit No. 2420 to authorize a new Type V MSW transfer station to be located at 10244 FM 1346, Adkins, Texas 78101 in Bexar County (Facility).

The Application, if granted, would authorize the construction and operation of a transfer station with a capacity of 2,500 tons per day. The Facility would receive nonhazardous waste from the City of San Antonio and surrounding rural areas. The Facility infrastructure would consist of a steel-framed structure with a metal roof, two walls and an open concrete tipping floor.

The Facility would be authorized to accept municipal solid waste (MSW) described as household waste, yard waste, commercial solid waste, construction and demolition waste, and specified special waste and Classes 2 and 3 industrial nonhazardous waste. The facility would not be authorized to accept wastes that are expressly prohibited by 30 TAC Chapter 330, and any waste that is not authorized in the permit for acceptance.

Wastes would be transported by collection vehicles to the Facility, unloaded on the tipping floor and reloaded into larger waste transportation vehicles for transport to an MSW landfill for disposal.

#### C. Procedural Background

The TCEQ received this Application from Lealco, Inc., on January 22, 2024, and declared it administratively complete on March 1, 2024. A Notice of Receipt of Application and Intent to Obtain a Municipal Solid Waste Permit (NORI) was published in English on March 13, 2024, in the *San Antonio Express-News*, and in Spanish in *La Presna Texas* on March 17, 2024. The Application was transferred to Waste Connections on May 16, 2024. The Executive Director completed the technical review of the Application on December 12, 2024, and prepared a draft permit (Draft Permit). The Draft Permit establishes the conditions under which the facility must operate. The Executive Director made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The Notice of Application and Preliminary Decision (NAPD) was published in English on December 23, 2024, in the *San Antonio Express News*, and in Spanish in *La Presna Texas* on December 29, 2024. The public comment period ended on January 21, 2024.

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 in Title 30 (30 TAC) Chapters 39, 50, and 55.

#### III. Access to Rules, Laws, and Information

- The Texas Secretary of State webpage is sos.state.tx.us.
- TCEQ rules in Title 30 of the Texas Administrative Code are available at sos.state.tx.us/tac/ by selecting "View the current Texas Administrative Code" and then selecting "Title 30 Environmental Quality."
- Texas statutes are available at statutes.capitol.texas.gov.
- Federal rules in Title 40 of the Code of Federal Regulations are available at the EPA's public webpage at epa.gov/laws-regulations/regulations.
- Federal environmental laws are available at the EPA's public webpage at epa.gov/laws-regulations/laws-and-executive-orders.
- General information about TCEQ can be found at the Commission's public webpage at tceq.texas.gov.
- General information about the TCEQ MSW permitting process is available at the Commission's public webpage at https://www.tceq.texas.gov/permitting/waste\_permits/msw\_permits/msw.html.
- Information about the MSW permitting process is also available from the TCEQ Public Education Program at 1-800-687-4040.

- You may receive a paper copy of this Response to Public Comment by contacting the TCEQ Office of the Chief Clerk, at 512-239-3300.
- The Application, the Executive Director's preliminary decision, and the draft permit is available for viewing and copying at the Schaefer Branch Library, 6322 US Highway 87 East, San Antonio, Texas 78222 in Bexar County, Texas, and may be viewed online at https://ftwweaverboos.com/ under the heading "San Antonio Transfer Station."
- Alternative language notice in Spanish is available at https://www.tceq.texas.gov/goto/wasteapps. La notificación en otro idioma en español está disponible en www.tceq.texas.gov/goto/wasteapps
- Certain Commission records for this Application and Draft Permit are available for viewing and copying in the Office of the Chief Clerk (OCC) at the TCEQ main office in Austin at 12100 Park 35 Circle, Building F, 1st Floor. Certain documents located in OCC may also be viewed in the Commissioner's Integrated Database at: www14.tceq.texas.gov/epic/eCID/

#### IV. Comments and Responses

#### Types of Wastes Accepted

#### Comment No. 1:

Will Hernadez raised concerns that hazardous waste would be stored, processed, and disposed at the proposed Facility.

#### Response No. 1:

The application for a MSW transfer station must identify the wastes that are proposed to be accepted and transferred at the proposed facility in accordance with 30 TAC §330.203(a). An application includes a Waste Acceptance Plan which describes the types of wastes that will be accepted and those that are prohibited (30 TAC §330.61(b)). In accordance with 30 TAC §330.15(e)(7) regulated hazardous waste, as defined in 30 TAC §330.3, is prohibited from acceptance at a MSW facility. Further, 30 TAC §330.225(c) prohibits the unloading of wastes that the facility is not specifically allowed to accept.

The Waste Acceptance Plan lists the wastes the facility would accept, store, and transfer, and the wastes that would be prohibited from acceptance. (Application, Parts I/II, Section 2.1.1). The Waste Acceptance Plan states that the Facility would accept and transfer wastes that are allowed to be disposed of at an MSW landfill, including nonhazardous municipal solid waste such as household waste, yard waste, solid waste from businesses, construction and demolition waste, nonhazardous industrial waste classified as Class 2 and Class 3, and certain special waste. (*Id.*). The Waste Acceptance Plan does not list any hazardous waste.

The Draft Permit would incorporate the Application representations by reference in accordance with Draft Permit Sections IV(A)(1) and (2) and X. The Draft Permit lists wastes that would be authorized for acceptance at the Facility. (Draft

Permit, Section III.A). The Draft Permit also lists wastes that would be prohibited from acceptance at the Facility including regulated hazardous waste by reference to 30 TAC §330.15(e). (Draft Permit, Section III.B).

The Executive Director has reviewed the Application and determined that the Waste Acceptance Plan meets the regulatory requirements.

## **Odor and Air Quality**

#### Comment No. 2:

Andrew Bloodworth, Tammy Bloodworth, Stephanie Cichon, Jessica Cruz, Nikko K. Delgado, Tiana Deloyola, Jeannie Dye, Deborah Hardwick, Linda Kelley, Pam Kelley, Lynn Pasch, Teresa Ronsh, Mark Russin, Wendy Russin, Mario Salinas, Phil Skloss, Evelyn Stanush, Wayne Stanush, Sandra Martinez Quinones, Chris Yeglasias, and Diana Yeglesias raised concerns about odors from the operation of the Facility. Tiana Deloyola raised concerns regarding existing air pollution. Clayton Cichon commented that there currently are odors from other existing facilities.

## Response No. 2:

An application for a MSW transfer station is required to depict design features to provide adequate ventilation for odor control. (30 TAC §330.63(2)(c)). Additionally, a MSW transfer station must be operated in a way that prevents the occurrence of nuisance odor conditions. (30 TAC §330.15(a)(2)). An application for a MSW transfer station is required to addresses adequate ventilation and odor control in the Site Operating Plan. (30 TAC §330.245). The operator of a MSW facility must implement controls to prevent releases of nuisance odors from leaving the facility property boundary in accordance with 30 TAC §330.245(f). Further, the operator of a MSW transfer station is required to control ponded water to avoid objectionable odors in accordance with 30 TAC §330.245(k).

The construction and operation of an MSW facility must comply with 30 TAC Chapter 330, Subchapter U (Standard Air Permits for MSW Landfill Facilities and Transfer Stations) and air emissions must be authorized. When individual authorization of air emissions is required, the operator of a MSW facility must obtain authorization from the TCEQ Air Permits Division. Emissions from a MSW transfer facility as well as any vehicle emissions from traffic to and from a MSW transfer station are subject to applicable air quality requirements which are regulated separate and apart from the Draft Permit. If air pollution emission capture and abatement equipment is needed and implemented, it must be properly installed, maintained, and operated in accordance with 30 TAC §330.245(e).

The Site Operating Plan represents measures to control odor which include procedures that govern day-to-day operations of the Facility, including routine inspections and housekeeping to ensure compliance with the TCEQ regulations. (Application, Part IV, Section 8.12 (Ventilation and Air Pollution Control)). Additionally, the Application represents that the Facility is designed to provide adequate ventilation

for odor control. (Application Part IV, Section 8.12). The Application also represents that the Facility would consist of a two-sided building with a roof. (*Id.*). The Application represents that ventilation would be provided through two open sides on the north and south of the building and that additional openings on the east and west walls may be installed as needed. (*Id.*). Further, the Application represents that ponded water will be controlled to avoid objectionable odors. (*Id.*). The Application represents that to prevent nuisance odors, the Facility would not accept or process liquid wastes. (*Id.*). Finally, the Application represents that Waste Connections would install and operate an odor misting system using water, or chemical deodorizers if needed, to suppress nuisance odors from migrating off-site from the Facility. (*Id.*).

If the permit is granted, Waste Connections would be required to operate the Facility in accordance with the Site Operating Plan in accordance with Draft Permit Section Sections IV.A.1 and 2, VII.A, G, and K, VIII.A, and B, and X. Additionally, the Draft Permit would require Waste Connections to obtain any air permit or other air emissions authorization required prior to operating the Facility which would include authorization for the proposed odor control system. (Draft Permit, Sections VII.A, C - E and K, and VIII. Further, the Draft Permit would prohibit Waste Connections from causing nuisance odors. (Draft Permit, Section VIII). Finally, the Draft Permit would require Waste Connections to comply with TCEQ regulations and the Draft Permit terms and specifically to comply with 30 TAC Chapter 330, Subchapter U and the Standard Permit Conditions in Draft Permit Section VII.K.

If you believe that a person or a facility is out of compliance with TCEQ regulations or an issued authorization, you may submit an environmental complaint. The TCEQ Regional Office environmental investigators investigate environmental complaints. TCEQ encourages members of the public to report environmental complaints by calling the TCEQ Region 13 Office at 210-490-3096, calling the toll-free Environment Violation Hotline at 1-888-777-3186, or by submitting a complaint on-line at https://www.tceq.texas.gov/compliance/complaints. If a person or a facility is found to be out of compliance with a permit provision or an environmental regulation, the person or facility may be subject to an enforcement action.

Whether the operation of other existing facilities contribute to odor is not relevant or material to the Executive Director's or the Commission's consideration of the Application.

The Executive Director has reviewed the Application and determined that it complies with the regulatory requirements regarding odor control.

#### **Vectors**

#### Comment No. 3:

Nikko K. Delgado raised concerns that the facility will attract rodents, wild dogs, and coyotes.

#### Response No. 3:

The application for a MSW transfer station is required to depict vector control measures the applicant will implement. A vector is defined as "an agent, such as an insect, snake, rodent, bird, or other animal capable of transferring a pathogen from one organism to another." (30 TAC §330.3(175)). Additionally, an MSW transfer station is prohibited from accumulating solid waste in a manner or quantity that the waste cannot be processed within such time that will preclude insect breeding or harborage of other vectors. (30 TAC §330.241(a)). Further, an MSW facility operator must plan for and comply with the overloading and breakdown procedures in 30 TAC §330.241(b) and (c).

The Application provides vector control procedures in Part IV, Section 4.3, 5.1, and 8.10 (Standard Operating Procedure). The Application represents that if additional measures are deemed necessary then other methods of vector control used may include spraying, baits, traps, or other measures suitable for the identified pest or vector. (Application Section 8.1 (Site Operating Plan (SOP)). Additionally, the Application represents: that if a significant work stoppage should occur at the Facility due to a mechanical breakdown or other causes, and anytime that the Facility is expected to become inoperable for more than 24 hours, and any time that the Facility cannot operate in accordance with the SOP, that the Facility would stop receiving solid waste. (*Id.*). Further, the Application represents that under such circumstances Waste Connections would divert incoming solid waste directly to a different authorized facility and if it was anticipated that a work stoppage may last long enough to create nuisance odors, insect breeding, or harborage of vectors that Waste Connections would take steps to remove any accumulated solid waste from the Facility to a permitted landfill. (Application Section 8.1).

See additional information under Response No. 2 above regarding how to report an environment complaint.

The Executive Director reviewed the Application and preliminarily determined that the procedures provided in the Application for controlling vectors meet the regulatory requirements.

#### Hours of Operation and Noise

#### **Comment No.4:**

Nikko K. Delgado raised concerns about noise from operation of the facility. Tiana Deloyola raised concerns regarding noise during hours of general operation from 3 a.m. to 7 pm. and the noise of heavy machine from 1 a.m. to 9 p.m., Monday through Friday and Saturdays.

#### Response No. 4:

In accordance with 30 TAC §330.63(b)(2)(I) a MSW transfer station transfer is required to be designed with controls to reduce noise pollution. A MSW transfer station must also "provide screening or other measures to minimize noise pollution

and adverse visual impacts." (30 TAC §330.239). Additionally, an application for a MSW transfer station must include a Site Operating Plan that specifies the waste acceptance and operating hours for when a facility will transport materials on or off-site, as well as the hours for when a facility will operate heavy equipment in accordance with 30 TAC §330.229(a)(relating to Operating Hours). The Application indicates the waste acceptance hours would be between the hours of 5:00 a.m. and 7:00 p.m., Monday through Friday and between 7:00 a.m. and 12:00 p.m. on Saturday and that the operating hours for operating heavy equipment and transporting materials on- or off-site will be between the hours of 5:00 a.m. and 7:00 p.m., Monday through Friday, and 7:00 a.m. and 4:00 p.m. on Saturday. (Application Part IV, Section 2.1.1).

Additionally, a permit may authorize alternate operating hours (up to five days in a calendar year), to accommodate holidays and special events or to address disaster or emergency circumstances and implementation of alternate operating hours must be recorded in the site operating record. (30 TAC § 330.229(b) and (d)). Further, Waste Connection would be required to post conspicuous signs days at all waste receipt entrances of the Facility depicting the hours of operation. (30 TAC §330.231). Finally, an application for a MSW transfer station must demonstrate compliance with a required 50-feet buffer zone, in accordance with 30 TAC §330.543(b)(1).

The Application represents noise pollution and visual screening methods that Waste Connections would implement. These measures include that waste would be transferred within a building structure with two-walls and a roof; that an OSHA-approved "white noise" or similar backup alarm would be installed as practicable on mobile equipment; and that an eight-foot screening wall, and existing trees and bushes would provide screening to confine noise generated by on-site activities to primarily within the Facility boundaries. (Application, Part III, Appendix III.A, Figure III A.5 (Facility Screening Plan), and Part IV, Section 8.9 (Site Operating Plan). Additionally, the Application represents that the permit boundary would be approximately 48 feet from the nearest residence, with the transfer station structure located approximately 180 feet from the nearest residence. (Application Part IV, Section 8.9). Additionally, the Application represents that to decrease the likelihood of nuisance noise, that no waste activities would occur within the buffer zones at the facility. (*Id.*). Finally, the Application depicts a 50-feet buffer zone. (Application Part III, Appendix III.A, (Site Development Plan), Figures III.A-1, III.A-2 and III.A-3).

The Draft Permit would require the Applicant to maintain the approved days and hours of operation and to post them on signs at entrances of the facility that receive waste, as required under 30 TAC §330.231 (Draft Permit, Sections II.A. (Hours of Waste Acceptance and Operation) and IV.L. (Facility Sign Requirements). Representations regarding days and hours of operation included in the Application are incorporated by reference into the Draft Permit and would become enforceable upon issuance of the permit (Section VIII.A. (Standard Permit Conditions)).

See additional information under Response No. 2 above regarding how to report an environment complaint.

The Executive Director has reviewed the Application and preliminarily determined that it satisfies the regulatory requirements regarding waste acceptance and operating hours for the proposed facility.

#### **Human Health**

#### Comment No. 5:

Yvette Diaz requested information about health hazards posed by the facility as an immune-compromised individual and raised concerns for elderly residents. Ingrid Vergara raised concerns regarding impacts from the proposed facility on the health of communities. The signatories to a form letter public comment listed in Appendix A raised concerns that many local residents have pulmonary ailments such as asthma, COPD, allergies, immune deficiencies, heart issues, and other constant medical needs.

#### Response No. 5:

TCEQ promulgated rules regulating all aspects of MSW management under the authority of the Commission based primarily on the Texas Health and Safety Code, Chapter 361. It is Texas' policy and the purpose of the statutes to safeguard the health and welfare of the people by controlling the management of solid waste. A MSW permit does not authorize any injury to persons or property, an invasion of other property rights, or any infringement of state or local law or regulations. In accordance with 30 TAC §305.122(d) and 30 TAC §330.67(a).

TCEQ Environmental Investigators with the Regional Offices conduct compliance inspections and investigations of facilities under TCEQ's jurisdiction. The environmental investigators review facility operations and operating records to determine the facility's compliance with issued authorizations, TCEQ rules, state statutes, and federal statutes. If the permit is granted, Waste Connections would be required to comply with the conditions of the issued permit, which incorporates the rules, statutes, and the Application. (Draft Permit, Sections VII.A and VIII.A). Failure to comply with a permit condition may constitute a violation of the permit, the Rules of the Commission, and/or the Texas Solid Waste Disposal Act, and may be grounds for enforcement action.

The Executive Director has reviewed the Application and determined that, if the Facility is constructed and operated in accordance with the rules, Draft Permit provisions, and the Application, the operation of the facility should not adversely impact human health or the environment.

#### Wildlife

#### Comment No. 6:

Alejandro T. Garza stated that the proposed facility will have a detrimental and adverse effect on the health and livelihood of his apiary (e.g., bee hives). He is opposed to the location of the facility based on two studies he cited regarding how such facilities impact hives and their negative and adverse effect on honeybee population

and prevent sales. He stated that he could lose the apiary agricultural exemption for his apiary business due to the effects of the Facility. He also raised concerns that the Facility will affect neighboring hives as well within a three-mile radius of the facility. Ingrid Vergara raised concerns regarding impacts of the proposed Facility on wildlife in the area.

#### Response No. 6:

TCEQ promulgated rules regulating all aspects of MSW management under the authority of the Commission based primarily on the Texas Health and Safety Code, Chapter 361. It is Texas' policy and the purpose of the statutes to safeguard the health and welfare of the people by controlling the management of solid waste. A MSW permit does not authorize any injury to persons or property, an invasion of other property rights, or any infringement of state or local law or regulations. In accordance with 30 TAC §305.122(d) and 30 TAC §330.67(a).

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. *See* Tex. Health and Safety Code §361.011. Accordingly, the TCEQ has jurisdiction to consider the impact of an MSW facility on wildlife or wildlife habitat that is protected by state or federal statute. TCEQ rules prohibit an MSW facility or operation of an MSW facility from resulting in destruction or adverse modification of the critical habitat of endangered species and the causing or contributing to the taking of any endangered or threatened species in accordance with 30 TAC §330.61(n). This rule requires the applicant to submit Endangered Species Act compliance demonstrations and determine whether the proposed facility is in the range of endangered or threatened species. If a proposed facility is located in the range of endangered or threatened species, the applicant must conduct a biological assessment prepared by a qualified biologist in accordance with response standard procedures of the United States Fish and Wildlife Service and the Texas Parks and Wildlife Department to determine the effect of the facility on the endangered or threatened species.

Additionally, Waste Connections would be required to comply with 30 TAC §330.15 which prohibits the operation of an MSW facility from creating or and maintaining a nuisance and from endangering human health and welfare or the environment.

The Application includes an assessment report prepared by Weaver Consulting Group on threatened and endangered species which concludes that no habitat of federally listed species was observed within the project area. The report is located in the Application, Parts I/II Appendix I/II.D.

The Executive Director has reviewed the Application and determined that it meets the regulatory requirements and that if the Facility is constructed and operated in accordance with the rules, Draft Permit provisions, and the Application, the operation of the facility should not adversely impact agricultural business or wildlife.

#### Siting

#### Comment No. 7:

Tiana Deloyola commented she is opposed to the location of the facility. Ingrid Vergara raised concerns regarding the proposed location of the facility. Tiana Deloyola and Will Hernandez raised concerns regarding the proximity of the proposed facility to homes and to the community. Sandra Martinez Quinones commented that the proposed facility should be located in a less populated area. Tiana Deloyola, Mr. Martinez, and Ingrid Vergara and the signatories to a form letter public comment listed in Appendix A raised concerns that the Facility will be located close to homes that have been established for times ranging from 10 to 50 years.

#### Response No. 7:

In accordance with 30 TAC §330.61(h), an application for an MSW transfer station permit must provide information regarding the likely impacts of the proposed facility on cities, communities, groups of property owners, or individuals by analyzing the land uses, zoning in the vicinity, community growth patterns, water wells, and other factors associated with the public interest. Additionally, a minimum separating distance of 50 feet must be maintained between solid waste storage and processing areas and the facility boundary in accordance with 30 TAC §330.543(b)(1). Further, this buffer zone must be wide enough to provide for safe passage for firefighting and other emergency vehicles.

Part II of the Application provides information about the character of the surrounding land uses within one mile of the facility including information about growth trends within five miles of the proposed facility with directions of major development; proximity to residences, business establishments, as well as other uses within one mile such as schools, churches, cemeteries, historic structures and sites, archeologically significant sites, and sites having exceptional aesthetic quality; and information regarding all known wells within 500 feet of the site.

According to Part II of the Application, the facility would be located in an unincorporated area of Bexar County and several residential neighborhoods are within one mile of the Facility to the north, east, and west sides. (Application, Part I-II, Sections 4 and 7.5). The Application represents that property located to the immediate west is commercial/industrial and property to the south is undeveloped. (*Id.*) Additionally, the Application indicates that there are no sites of historic or archaeological significance within one mile of the Facility. (*Id.*).

The site layout in Figures IIIA-1, IIIA-2 and IIIA-3 of the Site Development Plan, Part III, Appendix IIIA of the application show compliance with the required 50-feet buffer zone, in accordance with 30 TAC §330.543(b)(1). The site plan also provides for a safe passage of at least 20 feet around the building for firefighting trucks and other emergency vehicles. No solid waste unloading, storage, or processing operations will occur within the buffer zone of the facility.

Apart from the land use compatibility requirements and the location restrictions in the rules referenced above, TCEQ does not have the authority to specify the location of the facility or to suggest an alternative location.

The Executive Director has reviewed the Application and determined that it complies with the siting and land use requirements.

#### **Traffic**

#### Comment No. 8:

Mark Russin raised concerns regarding traffic.

## Response No. 8:

An application for an MSW transfer station is required to depict the roadways that would service the facility, provide data on the volume of vehicular traffic within one mile of the facility, project the volume of vehicular traffic generated by the facility, and submit documentation of coordination with Texas Department of Transportation (TxDOT) in accordance with 30 TAC §330.61(i).

Section 2, Appendix I/II-A of the Application provides the traffic data required under 30 TAC §330.61(i) for FM 1346 near the site. Application, Section 2.2, Tables 2.1 and 2.2 of Appendix I/II-A indicates that, for the proposed maximum daily rate acceptance of 2,500 tons of waste, existing traffic volumes on FM 1346 projected to the year 2043 will increase by less than 4%. Figure 2.1 of Appendix I/II depicts public roads within a one-mile radius of the Facility.

Waste Connections coordinated with TxDOT for traffic and location restrictions in accordance with 30 TAC §330.61(i)(4). TxDOT provided a response which indicates that FM 1346 must be widened to separate turn movements from through traffic. Waste Connections adopted TxDOT's recommendation by stating in Section 8.1 (Appendix I/IIA) that Waste Connections will widen FM 1346 to include auxiliary lanes to access the transfer station.

The Draft Permit would require Waste Connections to comply with the General Facility Requirements in Section IV-A-1 including Parts I – IV of the Application and revisions incorporated by reference to Section X.

The Executive Director has reviewed the Application and determined that it meets the regulatory requirements regarding traffic to and from the Facility.

#### **Public Notice:**

#### Comment No. 9:

Alejandro T. Garza commented that he did not receive mailed notice of the Application.

#### Response No. 9:

TCEQ's public participation rules require a series of public notices of solid waste applications to be mailed, published, and posted. Notice of Receipt of Application and Intent to Obtain a Permit (so called NORI) and Notice of Application and Preliminary Decision (so called NAPD) are required to be mailed and published in accordance with 30 TAC §§39.501(c) and (d).

In accordance with 30 TAC, Chapter 39, the Office of Chief Clerk mails notice to the landowners named on the Application adjacent landowner's list. This list must comply with the requirements of 30 TAC §281.5 and must include all property owners within ¼ mile of the facility, and all mineral interest ownership under the facility. In accordance with 30 TAC §39.501, persons entitled to notice include: people who own property within ¼ mile of the facility boundary; city, county and state officials specified by the rule; and those individuals who have placed themselves on a concerned party list with the Office of the Chief Clerk for the county in which the facility is located.

An application for an MSW transfer station permit is required to provide a map and list of property owners within  $\frac{1}{4}$  mile of the facility and all mineral interest ownership under the facility (30 TAC 330.59(c)(3)(B)).

Parts I/II, Section 5 of the Application includes the required map and property owner information. The property owners map is shown in Figure I/II-5.1 and the property owners are listed by name and address in Table 5.1.

The Office of the Chief Clerk mailed the NORI on March 3, 2024, and the NAPD on December 17, 2024, to a mailing list which included the property owners listed in the Application in accordance with 30 TAC, Chapter 39 requirements.

The Executive Director has reviewed the Application and determined that notice was provided in compliance with regulatory requirements.

#### General Opposition

#### Comment No. 10:

Jesus Acosta, Nikko Delgado, Tiana Deloyola, Yvette Diaz, Alejandro Trevino Garza, Sandra Martinez Quinones, Ingrid Vergara and the commenters listed in Attachment A expressed opposition to the Application.

#### Response No. 10:

The Executive Director acknowledges these comments.

#### **Property Values**

#### Comment No. 11:

The signatories to a form letter public comment listed in Appendix A raised concerns that the location and operation of the Facility would reduce the value of their property.

#### Response No. 11:

An applicant is required to provide land use information, including growth trends within five miles of a proposed facility in accordance with 30 TAC §330.61(h)(3). Apart from the land use compatibility requirements and the location restrictions in the rules referenced under Response No. 7, TCEQ does not have the authority to specify the location of the facility, determine zoning ordinances, or to suggest an alternative location. Further, TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute and rules. Accordingly, TCEQ does not have jurisdiction to consider property values or other economic impacts when determining whether to approve or deny a permit application. However, the issuance of a permit does not authorize injury to persons or property or invasion of other property rights, or infringement of state or local law or regulation in accordance with 30 TAC §305.122(d) and 30 TAC §330.67(a). These comments are not relevant or material to the Commission's or the Executive Director's consideration of the Application.

#### V. Conclusion

The Executive Director has reviewed the Application and determined that it meets the regulatory and statutory requirements.

#### VI. Changes Made to the Draft Permits in Response to Comments

No changes were made to the draft permits in response to public comments received.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel Executive Director

Phillip Ledbetter, Director Office of Legal Services

Charmaine Backens, Deputy Director Environmental Law Division

Nicholas Pilcher Staff Attorney

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State Bar No. 24102359 P.O. Box 13087, MC 173 Austin, TX 78711-3087 Phone: 512-239-5927

Fax: (512) 239-0606

## **CERTIFICATE OF SERVICE**

I certify that on March 14, 2025, that the Executive Director's Response to Public Comment on the application by Waste Connections Lone Star, Inc., for MSW Permit No. 2420 was filed with the TCEQ Office of the Chief Clerk.

Nicholas Pilcher Staff Attorney

Environmental Law Division Nicholas.Pilcher@tceq.texas.gov

## Attachment A

Individuals who affixed their names to a form letter comment received from Jesus Acosta on April 02, 2024.

| ACOSTA, DANIEL        | FRIESENHAHN, CYNTHIA  | MJELDE, SHARON         |
|-----------------------|-----------------------|------------------------|
| ACOSTA, JESUS J-      | FRIESENHAHN, DONNIE   | MONTALVO, ELIAS        |
| AGUIRRE, YULMA        | FRIESENHAHN, MONTY    | MONTALVO, RAYMOND      |
| ALEGRIA, PATRICIA     | GONZALEZ, INOCENTE    | MORALES, GENE          |
| ALVARADO, ELOISA      | GUERRERO, ARTURO      | MORENO, ISMAEL L       |
| ALVARADO, LUCIA       | GUERRERO, MARGARITA   | MORENO, LAURIE         |
| ALVARADO, RAY         | GUERRERO, SYLVIA      | MORENO, ROBERT         |
| ALVIZO, DEANNA        | GUEVARA, PABLO        | OJEDA, ABEL            |
| ALVIZO, JOSE          | GUTIERREZ, ANDREW     | ONTIVEROS, MARIANA     |
| ALVIZO, MARGARITA     | GUTIERREZ, ORLANDO    | PASEK, LYNN            |
| ANGELES, JUAN         | GUZMAN, MIGUEL        | PERALES, ROBERT        |
| ARMSTRONG, EDWARD     | HARDWICK, DEBORAH     | PEREZ, RION            |
| BANDA, MARIA          | HARDWICK, ROBERT      | RAMIREZ, GLORIA        |
| BLOODWORTH, ANDREW    | HERNANDEZ, CUITLAHUAC | RAMIREZ, RENE          |
| BLOODWORTH, TAMMY     | HERNANDEZ, DIANA      | REAL, BRANDON          |
| BOLDEN, J B           | HERNANDEZ, DORIS      | REAL, CHRIS            |
| BONDS, CLARENCE       | HERNANDEZ, E K        | REAL, CRAIG            |
| BOULDEN, MARTRELL     | HERNANDEZ, ERNESTINA  | ROBLEDO, DENISE        |
| BOYD, JAMES           | HERNANDEZ, LEON       | RODRIGUEZ, ALFREDO     |
| BULTON, PHILLIP       | HERNANDEZ JR., LEON   | RODRIGUEZ, CARMEN      |
| CAMPOS, ALFREDO       | HERNANDEZ, MATTHEW    | RODRIGUEZ, JASON       |
| CAMPOS, BEN           | JONES, THOMAS         | RODRIGUEZ, JOCELYN     |
| CAMPOS, DIANA         | JUAREZ, JONATHAN D    | RODRIGUEZ, PAUL        |
| CARDENAS, SERGIO      | KELLEY, LINDA         | ROUSH, THERESA         |
| CEJUDO, OSCAR         | KELLEY, LLOYD         | RUIZ, AMERICO          |
| CICHON, CLAYTON       | KELLEY, PAM           | RUSIN, MARK            |
| CICHON, STEPHANIE     | KELLEY, TERRY         | RUSIN, WENDY           |
| CONCERNED CITIZEN     | KELLY, GAYLE          | SALINAS, MARIO         |
| CONTRERAS, CAROLINA M | LOPEZ, JESUS          | SALVATORE, ERICA       |
| CRAIN, JANET          | M, ROBERT             | SERRANO, MARIA ROBERTA |
| CRUZ, BRIDGETTE       | MACKAY, MONICA        | SHUNKWIELER, ELEANOR   |
| CRUZ, JESSICA         | MACKAY, RODNEY        | SKLOSS, PHIL A         |
| DAVILA, ROMELIA       | MACKEY, SHELTON       | SMITH, DEBRA           |
| DELGADO, PAUL         | MACKEY, SHIRLEY       | SMITH, LARRY           |
| DIAZ,YVETTE           | MARTINEZ, ADRIANA     | STANUSH, EVELYN        |
| DRZYMALLA, CARL       | MARTINEZ, FRANCES     | STANUSH, WAYNE         |
| DRZYMALLA, LINDA      | MARTINEZ, GRACIE      | TORRES, BLANCA         |
| DYE, JEANNIE          | MCINTYRE, LESTER      | TORRES, DENISE         |
| FIGUEROA, VICTOR      | MEDEIROS, DIANE M     | TORRES, MARGARITA      |
| FRANCIS, JAMES        | MERLA, JOHNNY         | TORRES, PEDRO          |
| FRIESENHAHN, CARL     | MIRAMONTES, JAZMINE   | VALLE, NATHANIEL       |
|                       |                       |                        |

VILLASENOR, SANTIAGO VILLEGAS, SANTIAGO WEST, BARBARA WINGFIELD, NICOLE YGLESIAS, CHRIS YGLESIAS, DIANA YGLESIAS, ROGER