

# Texas Commission on Environmental Quality



## **Limited-Scope Amendment to Municipal Solid Waste Permit No. 2383 130 Environmental Park, LLC**

Municipal Solid Waste Permit No. 2383 is hereby amended as follows.

### Description of Change:

The limited-scope amendment expands operating and waste acceptance hours to 24 hours per day, seven days per week.

The details of this permit amendment are contained in the application dated December 22, 2022, and the revisions dated January 31, 2022.

### Part of Permit Amended:

Part IV of the Application (Site Operating Plan)  
Title page  
Table of contents  
Pages IV-34 and IV-35

This amendment is a part of Permit No. 2383 and should be attached thereto.

*Approved, Issued, and Effective* in accordance with Title 30 Texas Administrative Code Chapter 305, Section 305.62(j)(2) and Chapter 330, Section 330.135.

Issue Date:

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For the Commission

**Technical Summary and Executive Director's  
Preliminary Decision  
of the**

**130 Environmental Park, LLC  
MSW Limited-Scope Amendment Application  
to Permit No. 2383**

**Type I  
Municipal Solid Waste Facility  
Caldwell County, Texas**

**Applicant:  
130 Environmental Park LLC**

**Date Prepared: April 7, 2022**

By the  
Municipal Solid Waste (MSW) Permits Section  
Office of Waste, Waste Permits Division  
Texas Commission on Environmental Quality

This summary was prepared in accordance with 30 Texas Administrative Code Section 281.21(c). The information contained in this summary is based upon the permit application and has not been independently verified.

Name of Applicant: 130 Environmental Park LLC  
5200 N US Highway 183 (NB)  
Lockhart, TX 78644

Name of Facility: 130 Environmental Park

Contact Person: Charles Appleby, Vice President  
5200 N US Highway 183 (NB)  
Lockhart, TX 78644  
(512) 772-5099

Consulting Engineer: David Clark, P.E.  
Biggs & Mathews Environmental  
1700 Robert Road, Suite 100  
Mansfield, TX 76063  
(817) 563-1144

### **1.0 SUMMARY OF CHANGES**

The applicant has submitted this limited-scope amendment application requesting authorization to revise the existing Type I landfill in Caldwell County, Texas. The application proposes to expand operating and waste acceptance hours to 24 hours per day, seven days per week.

### **2.0 TECHNICAL REVIEW**

The application has been technically reviewed by the Municipal Solid Waste Permits Section to determine its compliance with the applicable requirements in 30 TAC Chapters 305 and 330. Chapter 330 contains the minimum regulatory criteria for municipal solid waste facilities. It has been determined that the information in the permit amendment application demonstrates compliance with these regulatory requirements. A draft limited-scope amendment document has been prepared and the application has been declared technically complete.

### **3.0 PUBLIC PARTICIPATION PROCESS**

The public can participate in the final decision on the issuance of a limited-scope amendment as follows:

- 3.1 The TCEQ will hold a public meeting if the executive director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the commission accepts formal comments on the application. There is also an informal question and answer period.
- 3.2 Technical review of the application is completed, a final draft limited-scope amendment is prepared, and the application is declared technically complete. Information for the application, the draft limited-scope amendment, the notice, and summaries are sent to the chief clerk's office for processing.

- 3.3 The "Notice of Application" is sent to the applicant and published in the newspaper. This notice provides a 30-day period, from the date of publication, for the public to make comment(s) about the application or draft limited-scope amendment. The notice also allows the public to request a public meeting for the proposed facility.
- 3.4 After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is then sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a public hearing.
- 3.5 After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.
- 3.6 A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant party(ies) present witnesses and testimony to support or dispute information contained in the application. When all of this is complete, the ALJ will issue a Proposal for Decision (PFD). This PFD is placed on an agenda meeting of the TCEQ commissioners for consideration of issuance or denial of a permit.
- 3.7 After the commission has approved or denied an application, a motion for rehearing may be made by a party that does not agree with the decision. Any motion for rehearing must be filed no later than 25 days after the party or the party's attorney of record is notified of the decision. The matter could be set on another agenda for consideration by the commission, or allowed to expire by operation of law.
- 3.8 Applications for which no one requests a contested case hearing are considered uncontested matters after the 30-day comment period. The application is placed on the executive director's signature docket and an amendment is issued. Any motion to overturn the executive director's decision must be filed no later than 23 days after the agency mails notice of the signed permit amendment.

#### **4.0 ADDITIONAL INFORMATION**

For information concerning the regulations covering this application, contact the Municipal Solid Waste Permits Section:

Mr. Steve Odil  
Municipal Solid Waste Permits Section, MC 124  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711  
(512) 239-4568

For more detailed technical information concerning any aspect of this

application or to request a copy of the Site Development Plan, please contact the consulting engineer or the applicant at the address provided at the beginning of this summary.

The application can be viewed on the internet at  
[http://www.tceq.texas.gov/permitting/waste\\_permits/msw\\_permits/msw\\_posted\\_apps.html](http://www.tceq.texas.gov/permitting/waste_permits/msw_permits/msw_posted_apps.html)

For information concerning the legal aspects of the hearing process, agency rules, and submitting public comments, please contact the Texas Commission on Environmental Quality's Office of the Public Interest Counsel at (512) 239-6363.

#### **5.0 EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

The executive director of the Texas Commission on Environmental Quality has made the preliminary decision that this proposed limited-scope amendment to MSW Permit No. 2383, for 130 Environmental Park LLC, if issued, meets all statutory and regulatory requirements.



N/A

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A