

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
CITY OF WACO  
SOAH Docket No. 582-23-09093  
TCEQ Docket No. 2022-0977-MSW  
Permit No. 2400**

## **APPLICATION.**

The City of Waco, 501 Schroeder Drive, Waco, McLennan County, Texas 76710 has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to authorize the construction and operation of a new Type I Municipal Solid Waste (MSW) landfill.

The facility is proposed to be located at 4730 T K Parkway, Axtell 76624 in McLennan and Limestone Counties, Texas. The TCEQ Executive Director has prepared a draft permit plan which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Waco-McLennan County Central Library, 1717 Austin Avenue, Waco, McLennan County, Texas 76701 and Gibbs Memorial Library, 305 East Rusk Street, Mexia, Texas 76667 and may be viewed online at: <https://www.waco-texas.com/landfill-application-process.asp>.

## **CONTESTED CASE HEARING.**

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

**10:00 a.m. – March 7, 2023**

**To join the Zoom meeting via computer:**

**<https://soah-texas.zoomgov.com/>**

Meeting ID: 160 479 5660

Password: TCEQ993

or

**To join the Zoom meeting via telephone:**

**(669) 254-5252 or (646) 828-7666**

Meeting ID: 160 479 5660

Password: 6247005

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>  
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order issued on September 27, 2022, concerning this application. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 330; and the procedural rules of TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

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

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

#### **INFORMATION.**

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

Further information may also be obtained from the City of Waco at the address stated above or by calling Charles Dowdell, Director of Special Projects, at (254) 750-1601.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: January 25, 2023



Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality