



Texas Commission on Environmental Quality

Request for Authorization to Disturb Final Cover Over Closed Municipal Solid Waste Landfill for Non-Enclosed Structure

Application Tracking Information

Applicant Name: _____

Facility Name: _____

Initial Submission Date: _____

Revision Date: _____

Use this form to request authorization to disturb final cover over a closed municipal solid waste (MSW) landfill, including test borings and other excavations. Rules about use of land over a closed MSW landfill are in [Title 30, Texas Administrative Code](#)¹, Chapter 330, Subchapter T. Instructions for completing this form are provided in [form 20787-instr](#)². Include a Core Data Form, available at www.tceq.texas.gov/goto/coredata with the application. If you have questions, contact the Municipal Solid Waste Permits Section by email to mswper@tceq.texas.gov, or by phone at 512-239-2335.

Application Data

1. Application Type

New Authorization Revision to Existing Authorization Number _____

2. Submission Type

Initial Submission Response to Notice of Deficiency (NOD)

3. Confidential Documents

Does the application contain confidential documents?

Yes No

If Yes, reference the confidential documents in the application, but submit the confidential documents as an attachment in a separate binder marked CONFIDENTIAL.

¹ <http://www.tceq.texas.gov/goto/view-30tac>

² www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20787-instr.pdf

4. Enrollment in Other TCEQ Programs

Is the site enrolled in other TCEQ programs?

Yes No

If Yes, indicate the program(s) and program ID numbers:

5. Landfill Permit Status [30 TAC 330.954]

Indicate if the landfill has an existing municipal solid waste (MSW) permit, and the physical status of the landfill:

- Unpermitted Landfill
- Revoked MSW Permit
- Existing MSW Permit, Landfill Active
- Existing MSW Permit, Landfill in Post-Closure Care

If the landfill has an existing MSW permit, this Subchapter T disturbance application must be submitted as an attachment to an application to modify or amend the existing permit.

6. Project Description

Briefly describe the proposed disturbance of the final cover of the closed landfill.

7. Facility Information

Facility Name: _____

Regulated Entity Reference Number: **RN** _____

Street or Physical Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

8. Contact Information

Applicant

Name: _____

Customer Reference Number: **CN** _____

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

Property Owner (if different from Applicant)

Name: _____

Customer Reference Number: **CN** _____

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

Consultant (if applicable)

Firm Name: _____

Texas Board of Professional Engineers and Land Surveyors Firm Number: _____

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Consultant Name: _____

Phone Number: _____

Email Address: _____

9. Soil Test Required before Development [30 TAC 330.953]

Was the existence of a closed MSW landfill determined by a licensed professional engineer during the development of a tract of land greater than one acre?

Yes No

If Yes, did the engineer who determined the existence of the closed MSW landfill notify the following persons of that determination within 30 days: each owner and lessee of the tract, the TCEQ executive director, local government officials with the authority to disapprove the application for development, and the regional council of governments?

Yes No

10. Notice to Real Property Records [30 TAC 330.962]

Has the property owner filed for record in the real property records in the county where the land is located a written notice stating: (1) the former use of the facility; (2) the legal description of the tract of land that contains the closed MSW landfill; (3) notice that restrictions on the development or lease of the land exist in Texas Health and Safety Code, Chapter 361, Subchapter R and Subchapter T; and (4) the name of the owner?

Yes No

11. Notice to Buyers, Lessees, and Occupants [30 TAC 330.963]

Are there any lessees or occupants of structures overlying a closed MSW landfill unit on the property?

Yes No

If Yes, has the property owner notified each lessee and each occupant of a structure that overlies the landfill unit of: (1) the land's former use as a landfill; and (2) the structural controls in place to minimize potential future danger posed by the closed MSW landfill?

Yes No

12. Lease Restrictions [30 TAC 330.964]

Is the property leased or offered for lease?

Yes No

If Yes, is existing development on the land in compliance with 30 TAC Chapter 330, Subchapter T?

Yes No

Previous Subchapter T approval number(s): _____

Was each lessee or prospective lessee given notice of what is required to bring the property and any development on the property into compliance with Subchapter T and the prohibitions or requirements for future development imposed by Subchapter T and by any development permit issued for development of the property under Subchapter T?

Yes No

13. Certification by Professional Engineer

A professional engineer (PE) licensed in Texas must completed the following Certification of No Potential Threat to Public Health or the Environment required by 30 TAC 330.960(1) and according 330.957(b):

I, _____, Texas PE Number _____, certify that the proposed development is necessary to reduce a potential threat to public health or the environment, or that the proposed development will not increase or create a potential threat to public health or the environment. Further, I certify that the proposed development will not damage the integrity or function of any component of the Closed Municipal Solid Waste Landfill Unit, including, but not limited to, the final cover, containment systems, monitoring system, or liners. This certification includes all documentation of all studies and data on which I relied in making these determinations.

Engineer’s seal, with signature and date:

Engineering Firm Name: _____

Texas Board of Professional Engineers and Land Surveyors Firm Number: _____

Signature Page

Both signatures on this page must be notarized.

Applicant Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____ Title: _____

Signature: _____ Date: _____

Email Address: _____

SUBSCRIBED AND SWORN to before me by the said _____

On this ____ day of _____, ____

My commission expires on the ____ day of _____, ____

Notary's Name: _____

Notary Public in and for

_____ County, Texas

Property Owner Authorization

To be completed by the property owner if the property owner is not the applicant.

I _____, the owner of the property identified by the address _____, hereby authorize the applicant to proceed with the project described in this application, and to apply for any necessary authorizations in order to conduct this project. I understand that, as property owner, I am responsible for maintaining the integrity of the final cover over the closed MSW landfill.

Property Owner Name: _____

Signature: _____ Date: _____

Email Address: _____

SUBSCRIBED AND SWORN to before me by the said _____

On this ____ day of _____, ____

My commission expires on the ____ day of _____, ____

Notary's Name: _____

Notary Public in and for

_____ County, Texas

Attachments

Attachments for New Authorization Request

Attachments Table—Required attachments.

Required Attachments	Attachment Number
Existing Conditions Summary [330.960(2)]	
Project description [330.960(3)]	
Construction/investigation process [330.960(4)]	
Water, methane, and excavated material management [330.960(5)]	
Maps and drawings [330.960(6)]	
Engineering plans [330.960(7)]	
Notice to Real Property Records [330.962(a)]	

Attachments Table—Additional attachments that may be required.

Additional Attachments (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> Confidential Documents	
<input type="checkbox"/> TCEQ Core Data Form(s)	
<input type="checkbox"/> Notices of Landfill Determination [330.953(d)]	
<input type="checkbox"/> Notice(s) to Buyers, Lessees, and Occupants [330.963(b)]	
<input type="checkbox"/> Notice(s) of Lease Restrictions [330.964(b)]	
<input type="checkbox"/> Soil Test Procedures and Results	
<input type="checkbox"/> Methane Monitoring Documentation	
<input type="checkbox"/> Groundwater Monitoring Documentation	
<input type="checkbox"/> Waste Disposal Documentation	
<input type="checkbox"/> Other (describe):	
<input type="checkbox"/> Other (describe):	

Attachments for Revision to Existing Authorization or Revision to Pending Authorization Request

Attachments Table—Required attachments.

Required Attachments	Attachment Number
Description of Proposed Revisions to Existing Authorization	
Set of Marked (Redline/Strikeout) Revised Pages	
Set of Unmarked Revised Pages	