

December 23, 2024

Mr. Henok Tewelde, P.G.
MSW Permits Section, MC-124
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

VIA EMAIL/FEDEX

Subject: Response to Administrative Notice of Deficiency (NOD)
City of Port Arthur Landfill Port Arthur, Jefferson County, Texas
Municipal Solid Waste Permit Number: 1815A
Tracking No. 30101922; RN100225390/CN600132021
MSW Type I Landfill Limited Scope Major Amendment

Dear Mr. Tewelde:

On behalf of the City of Port Arthur (City), SCS Engineers (SCS) is pleased to submit this response to your November 25, 2024 email regarding deficiencies in the Limited Scope Major Amendment Request to permit MSW – 1815A for the City of Port Arthur Landfill in Jefferson County, Texas.

The following items are being submitted with this response:

Attachment	Section	Description of Revisions
1	TCEQ-00650 Form Part I Application Form for New Permit, Permit Amendment, or Registration for MSW Facility	Page 1
2	Correspondence with TXDOT	
3 and 4	Parts I/II General Application Requirements	Revised Cover Sheet; Table of Contents; and narrative Section 8

In the NOD, the following comments were offered accompanied by our written response in ***bold and italic***.

TCEQ Comment #1:

Provide evidence showing consultation with the Texas Department of Transportation (TXDOT), county, and/or local governments regarding the increase in traffic from 1.7% to 11.9% on SH 73, in accordance with Title 30 of the Texas Administrative Code (30 TAC), Sections §330.61(i) and §330.145.

SCS Response:

Correspondence showing consultation with the Texas Department of Transportation (TXDOT) regarding the increase in traffic has been included in the Attachment 2. In addition, Parts I/II, Section 8.3, Volume of Vehicular Traffic Generated by the Facility has been revised to reflect the latest

information provided by the City. These changes are provided in Attachment 3 of this submittal. Attachment 4 has the Redline/Strikeout Pages of Parts I/II.

TCEQ Comment #2:

In the TCEQ-00650 Part I application, under the "Application Tracking Information" section, please revise both initial submission date and revision date. Specifically, change the initial submission date from August 23, 2024, to September 12, 2024, and the revision from October 21, 2024, to October 24, 2024.

SCS Response:

Application Tracking Information of the TCEQ-00650 Part I application form has been revised as per the comment. Revised page 1 of the form has been included in the Attachment 1.

The certification statement required by 30 TAC §305.44 is included as part of the enclosed Part I Form.

As required by 30 TAC §330.125(c) of TCEQ rules, please be advised that this letter with enclosures is being placed in the operating record for the subject facility in accordance with requirements of 30 TAC §330.125(a) and /or (b). Also, as required, an original and one copy of this letter with enclosures are being submitted to the TCEQ central office while another copy is being submitted directly to the appropriate TCEQ regional office.

We trust that this submittal is complete and will lead to approval of this Limited Scope Permit Amendment request. If you have any questions or comments concerning this submittal, please contact J. Roy Murray at (817) 358-6156.

Sincerely,



Naima Rahman, PhD., E.I.T.
Project Professional
SCS ENGINEERS



J. Roy Murray, P.E.
Vice President
SCS ENGINEERS

Cc: Flozelle C. Roberts, City of Port Arthur Public Works
Jorge Morales, City of Port Arthur Landfill
Justin Thomas, City of Port Arthur Landfill
Dr. Hani Tohme, P.E., Golden Triangle Engineers
TCEQ Region 10



Texas Commission on Environmental Quality

Waste Permits Division Correspondence

Cover Sheet

Date: 12/23/2024

Facility Name: City of Port Arthur Landfill

Permit or Registration No.: MSW-1815A

Nature of Correspondence:

☐ Initial/New

☒ Response/Revision to TCEQ Tracking No.:
30101922 (from subject line of TCEQ letter
regarding initial submission)

Affix this cover sheet to the front of your submission to the Waste Permits Division. Check appropriate box for type of correspondence. Contact WPD at (512) 239-2335 if you have questions regarding this form.

Table 1 - Municipal Solid Waste Correspondence

Applications	Reports and Notifications
<input type="checkbox"/> New Notice of Intent	<input type="checkbox"/> Alternative Daily Cover Report
<input type="checkbox"/> Notice of Intent Revision	<input type="checkbox"/> Closure Report
<input type="checkbox"/> New Permit (including Subchapter T)	<input type="checkbox"/> Compost Report
<input type="checkbox"/> New Registration (including Subchapter T)	<input type="checkbox"/> Groundwater Alternate Source Demonstration
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Groundwater Corrective Action
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input checked="" type="checkbox"/> Limited Scope Major Amendment	<input type="checkbox"/> Groundwater Background Evaluation
<input type="checkbox"/> Notice Modification	<input type="checkbox"/> Landfill Gas Corrective Action
<input type="checkbox"/> Non-Notice Modification	<input type="checkbox"/> Landfill Gas Monitoring
<input type="checkbox"/> Transfer/Name Change Modification	<input type="checkbox"/> Liner Evaluation Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Soil Boring Plan
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Special Waste Request
<input type="checkbox"/> Subchapter T Disturbance Non-Enclosed Structure	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	

Table 2 - Industrial & Hazardous Waste Correspondence

Applications	Reports and Responses
<input type="checkbox"/> New	<input type="checkbox"/> Annual/Biennial Site Activity Report
<input type="checkbox"/> Renewal	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> Post-Closure Order	<input type="checkbox"/> Closure Certification/Report
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Construction Certification/Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> CCR Registration	<input type="checkbox"/> Extension Request
<input type="checkbox"/> CCR Registration Major Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> CCR Registration Minor Amendment	<input type="checkbox"/> Interim Status Change
<input type="checkbox"/> Class 3 Modification	<input type="checkbox"/> Interim Status Closure Plan
<input type="checkbox"/> Class 2 Modification	<input type="checkbox"/> Soil Core Monitoring Report
<input type="checkbox"/> Class 1 ED Modification	<input type="checkbox"/> Treatability Study
<input type="checkbox"/> Class 1 Modification	<input type="checkbox"/> Trial Burn Plan/Result
<input type="checkbox"/> Endorsement	<input type="checkbox"/> Unsaturated Zone Monitoring Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Waste Minimization Report
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Other:
<input type="checkbox"/> 335.6 Notification	
<input type="checkbox"/> Other:	

Attachment No. 1

**Part I Application Form for New Permit, Permit Amendment, or
Registration for a Municipal Solid Waste Facility**

(Form TCEQ-0650)



Texas Commission on Environmental Quality

Part I Application Form for New Permit, Permit Amendment, or Registration for a Municipal Solid Waste Facility

Instructions for completing this Part I Application Form are provided in [TCEQ 00650-instr¹](#). Include a [Core Data Form \(TCEQ 10400\)²](#) with the application for the facility owner, and Core Data Forms for the operator and property owner if different from the facility owner. If you have questions, contact the Municipal Solid Waste (MSW) Permits Section by email to [\[REDACTED\]](#) or by phone at 512-239-2335. Rules cited on this form are in Title 30 Texas Administrative Code (30 TAC) and may be viewed online at www.tceq.texas.gov/goto/view-30tac.

Application Tracking Information

Facility Regulated Entity Name³:
City of Port Arthur Landfill

Site Operator (Permittee or Registrant Name)⁴:
City of Port Arthur

MSW Authorization Number: 1815A

Initial Submission Date: 09/12/2024

Revision Date: 10/24/2024

Application Data

1. Submission Type

☐ Initial Submission ☒ Notice of Deficiency (NOD) Response

2. Authorization Type

☒ Permit ☐ Registration

3. Application Type

☐ New Permit
☐ Permit Major Amendment ☒ Permit Limited Scope Major Amendment
☐ New Registration

¹ www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/00650-instr.pdf

² www.tceq.texas.gov/goto/coredata

³ Facility Regulated Entity Name must match the Regulated Entity Name indicated on the TCEQ Core Data Form.

⁴ Site Operator is defined in 30 TAC 330.3(148) as the holder of, or the applicant for, an authorization (or license) for a municipal solid waste facility.

Attachment No. 2

Correspondence with TXDOT

December 23, 2024

Mr. Dave Collins, P.E.
Area Engineer, Beaumont District
Texas Department of Transportation
8450 Eastex Freeway
Beaumont, Texas 77708

VIA EMAIL/FEDEX

Subject: Traffic Review Request
Type I MSW Facility Permit Limited Scope Major Amendment Application
MSW Permit Number: 1815A
City of Port Arthur Landfill, Port Arthur, Jefferson County, Texas

Dear Mr. Collins:

On behalf of the City of Port Arthur (City), SCS Engineers (SCS) submitted a Type I MSW Facility Permit Limited Scope Major Amendment Application (PLSMAA) to the Texas Commission on Environmental Quality (TCEQ) Solid Waste Permits Division for the City of Port Arthur Landfill ("Type I Facility"), Permit No. MSW-1815A.

Pursuant to the TCEQ rule provision at 30 TAC §330.61(i)(4), the applicant for a TCEQ municipal solid waste permit amendment is required to submit to TCEQ "*documentation of coordination of all designs of proposed public roadway improvements such as turning lanes, storage lanes, etc., associated with site entrances with the agency exercising maintenance responsibility of the public roadway involved. In addition, the owner or operator shall submit documentation of coordination with the Texas Department of Transportation for traffic and location restrictions.*"

This existing Type I MSW landfill is located in Jefferson County and within the City of Port Arthur limits. The Landfill is located about 1.3 miles west of Taylor Bayou on State Highway 73 in Jefferson County, Texas.

Projected traffic volumes were calculated through 2050 using the most recent population percent change of -2.20 percent from the United States Census Bureau (www.census.gov/quickfacts). Based on facility records, the daily number of vehicles utilizing the site for waste activities has been approximately 150 vehicles per day or 300 trips per day in recent years. The waste vehicles account for 1.9 percent of the traffic using Route 73 in the vicinity of the landfill. This includes small and large vehicles. The proposed number of vehicles that will utilize the site for soil import/export operations is 250 vehicles per day or 500 trips per day resulting in a total of 800 waste and soil trips per day. The combination of waste and soil vehicles account for 5.2 percent of the traffic using Route 73 in the vicinity of the landfill. The proposed soil import/export traffic is a temporary condition and is expected to last 2 years, at which point the facility's traffic would return to approximately 1.9 percent of the traffic using Route 73 in the vicinity of the landfill.

There are no public roadway improvements such as turning lanes, storage lanes, etc., associated with site entrances proposed with this PLSMAA.

On behalf of the City and pursuant to TCEQ rule provision at 30 TAC §330.61(i)(4), we are requesting TxDOT coordination regarding any applicable traffic and location restrictions. To aid in your review, we

Mr. Dave Collins, P.E.
December 23, 2024
Page 2

have attached copies of the following materials from the permit amendment application:
Transportation study excerpt, Site Location Map and Transportation Map.

If further information or documentation is required by your department, please call J. Roy Murray at
(817) 358-6156.

Sincerely,



Naima Rahman, PhD., E.I.T.
Project Professional
SCS ENGINEERS



J. Roy Murray, P.E.
Vice President
SCS ENGINEERS

Encl. Transportation Study Excerpt from Permit Amendment Application
Figure I/II-4-1, Site Location Map
Figure I/II-8.1, Transportation Map

SECTION 8

TRANSPORTATION

8.1 AVAILABILITY AND ADEQUACY OF ROADS

The access route to the Port Arthur Landfill is State Highway 73 (SH 73). As indicated on Drawing I/II-4.1, landfill users from the City of Port Arthur proceed west from the City using SH 73 before entering the landfill on the north side of the road. Entrants from the west would proceed east on SH 73 to the site and turn north across the west-bound lane from the current turn lane. The site entrance road is part of the property and is paved from SH 73 to approximately 100 feet beyond the gatehouse, after which it is maintained in all-weather conditions.

8.2 VOLUME OF VEHICULAR TRAFFIC ON ACCESS ROADS

The Texas Department of Transportation (TxDOT) conducted traffic counts on SH 73 in annually. The 2016 and 2022 TxDOT daily traffic volumes in the vicinity of the landfill were obtained which represent the average two-way traffic passing a specific location in a 24-hour period. Projected traffic volumes were calculated through 2050 using the most recent population percent change of -2.20 percent from the United States Census Bureau (www.census.gov/quickfacts). The nearest tally point was located west of the intersection of SH 73 with SH 82, about 0.5 miles east of the Port Arthur Landfill. This traffic count was conducted on a stretch of road that has a higher travel volume, due to the proximity to the city, and is expected to reflect increased traffic movement compared to near the site. This information is summarized in the table below.

Table I/II-1
Traffic Counts in Vehicles per Day

	Yearly Volumes ³					Capacity ^{2,3}
	2016 ¹	2022 ¹	2030	2040	2050	
State Highway 73 (east from site)	14,516	15,532	13,000	10,407	8,331	110,400
State Highway 73 (west from site)	12,756	14,982	12,540	10,039	8,036	

1. Source: TxDOT 2016 Urban Traffic Map, Sheets 80 and 87, and TxDOT Statewide Traffic Analysis and Reporting System (STARS II).
2. Source: Existing capacity was determined from guidelines prepared by HGAC 2022 MTP and Highway Capacity Manual 7th Edition, Transportation Research Board, Washington DC, Report #209.
3. Traffic volumes are in units of vehicles per day.

8.3 VOLUME OF VEHICULAR TRAFFIC GENERATED BY THE FACILITY

Based on facility records, the daily number of vehicles utilizing the site for waste activities has been approximately 150 vehicles per day or 300 trips per day in recent years. This includes small and large vehicles. The waste vehicles account for 1.9 percent of the traffic using Route 73 in the vicinity of the landfill. The proposed number of vehicles that will utilize the site for soil import/export operations is 250 vehicles per day or 500 trips per day. The Port Arthur Landfill accounts for approximately 5.2 percent of the traffic using Route 73 in the vicinity of the landfill. The proposed soil import/export traffic is a temporary condition and is expected to last 2 years,

at which point the facility's traffic would return to approximately 1.9 percent of the traffic using Route 73 in the vicinity of the landfill. The City of Port Arthur estimates that the waste inflow rate will be relatively constant until closure. This increase is not expected to materially change the small percentage of vehicles using the landfill as compared to the total number of vehicles on this highway.

8.4 AIRPORT IMPACT

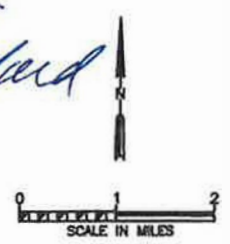
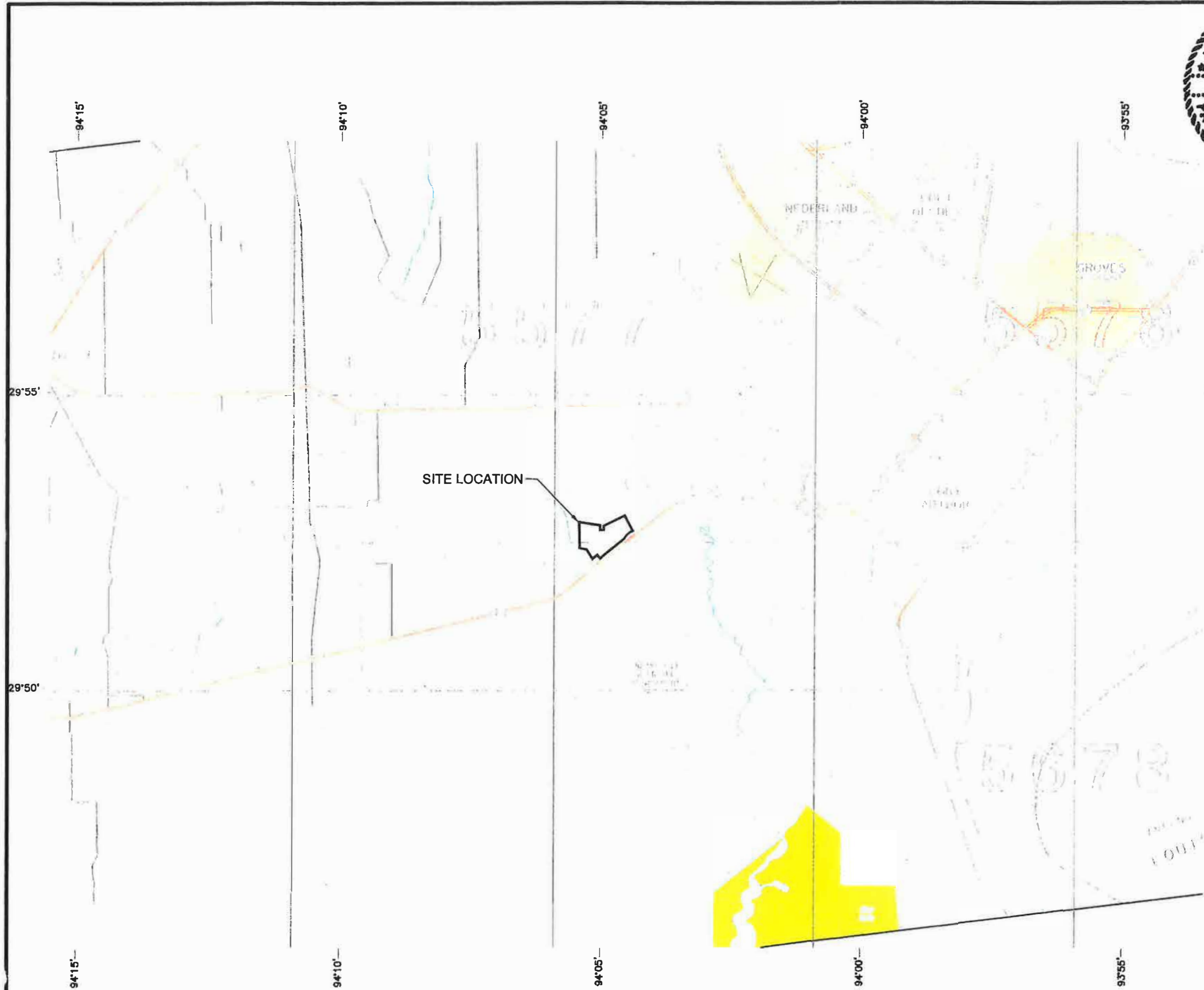
The TCEQ distance restrictions set forth in §330.545 require that land disposal sites located closer than 10,000 feet to any runway used by turbojet aircraft or closer than 5,000 feet to any public use runway used by piston-engine aircraft must provide a bird hazard demonstration. Based on a search conducted by the Southwest Region of the Federal Aviation Administration (FAA) (see correspondence in Appendix I/IIA), there is one known public-use airport located within five miles of the site. This is the Southeast Texas Regional Airport, located approximately four miles northeast of the landfill. In response to a letter of inquiry to the FAA dated in 2002, Mr. Joseph G. Washington (Manager, Safety and Standards Branch) stated that "We have no objection to the expansion proposal under the following conditions".

- (1) The facility must be properly supervised to assure that bird populations are not increasing and that appropriate control procedures are being followed.
- (2) Any increases in bird activity that might be hazardous to safe aircraft operations will result in prompt mitigations actions and/or closure of the facility.
- (3) The above conditions must be clearly defined via state licensing procedures associated with establishment of the landfill.

At FAA's request, U.S. a U.S. Department of Agriculture Wildlife Biologist visited the landfill site and noted that the site was well maintained and as long as current operations methods are maintained, the potential for problems would be lessened.

The City of Port Arthur is committed to controlling bird populations to the satisfaction of the FAA.

The Subtitle D Location Restriction Certification of Compliance for airport safety is included in Appendix I/IID.



LEGEND

29°50' 29°55' 29°50' 29°50'

LONGITUDE & LATITUDE LINES

NATIONAL US STATE & FEDERAL BOUNDARY	COUNTY BOUNDARY	INTERSTATE HIGHWAY	STATE HIGHWAY	US ROUTE	COUNTY ROAD	WATER CROSSING	INTERMITTENT STREAM	SHIP CHANNEL	LAKE WITH DAM	AREA SUBJECT TO INUNDATION	INTERMITTENT LAKE	PROPOSED ELEVATION	CLEARING ON DUTY	AIRPORT WITH FACILITIES	MILITARY AIRBASE	HISTORIC SITE	TEXAS OIL AND GAS WELL	US CUSTOM POINT OF ENTRY	TUNNEL	QUARRY	ROAD DISTANCE MARKER	ROAD REFERENCE	COUNTRY CLUB & GOLF COURSE



COUNTY LOCATION

GENERAL HIGHWAY MAP
JEFFERSON COUNTY
TEXAS

PREPARED BY THE
TEXAS DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PLANNING AND PROGRAMMING DIVISION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1989
1990 CENSUS FIGURES
HIGHWAYS REVISED TO JULY 1, 1994

BY	ROY
	TECHNICALLY COMPLETE
DESCRIPTION	
DATE	01-16-06
REV	1
SITE LOCATION MAP	
PROJECT TITLE	
MAJOR PERMIT AMENDMENT APPLICATION	
CLIENT	CITY OF PORT ARTHUR MUNICIPAL LANDFILL CITY OF PORT ARTHUR JEFFERSON COUNTY, TEXAS
SCS ENGINEERS	STEARN, CONRAD AND SCHMIDT CONSULTING ENGINEERS 3001 CENTRAL EXPRESS, SUITE 100, BEVERLY, TX 77814 PH (979) 871-1000 FAX (979) 871-1000
DATE	12-2003
SCALE	AS SHOWN
DRAWING NO.	I/II-4.1

