

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

City of Port Arthur Landfill
MSW Limited Scope Amendment Application
to Permit No. 1815A**

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

**Applicant:
City of Port Arthur**

Date Prepared: April 4, 2025

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.

1. Applicant Contact Information

Name of Applicant: City of Port Arthur
444 4th Street
Port Arthur, Texas 77640

Name of Facility: City of Port Arthur Landfill

Contact Person: Justin Thomas, Landfill Superintendent
444 4th Street
Port Arthur, Texas 77640

Consulting Engineer: J. Roy Murray, Vice President
SCS Engineers
12651 Briar Forest Drive, Suite 205
Houston, Texas 77077

2. Summary of Changes

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

3. 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 limited scope 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.

4. Public Participation Process

Technical review of the application has been completed, the application has been declared technically complete, and a draft permit and *Notice of Application and Preliminary Decision* (NAPD) have been prepared. Information about the application, the draft permit, the notice, and this technical summary will be filed in the TCEQ Office of the Chief Clerk for processing.

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

- 4.1. 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 and holds an informal question and answer period.

- 4.2. 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.
- 4.3. The NAPD is sent to the applicant and published in the newspaper. The NAPD provides instructions for submitting comments, requesting a public meeting, or requesting a hearing on the application, and that all comments or requests must be submitted within 30 days from the date of newspaper publication of the notice.
- 4.4. After the comment period has ended, if comments are received a *Response to Comments* (RTC) will be prepared. The RTC will be sent to all persons who submitted comments or requested a public meeting or hearing on the application. Persons who receive the RTC will have an additional 30 days after the date the RTC is mailed in which to request a public hearing.
- 4.5. After the 30-day period to request a hearing has ended, if any request have been received, the matter is placed on an agenda meeting for the TCEQ commissioners to determine whether to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.
- 4.6. 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 to consider whether to grant or deny the application.
- 4.7. After the commission has acted on 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 motion may be set on another agenda for consideration by the commission or allowed to expire by operation of law.
- 4.8. Applications for which no one requests a contested case hearing, and which meet all other requirements in 30 TAC 50.133(a) are uncontested applications and will be acted on by the executive director. An uncontested application will be placed on the executive director's agenda and the permit will be issued. The TCEQ will then mail notice that the permit was issued. The notice will be mailed according to 30 TAC 50.133(b) to the applicant, to any person who requested to be on the mailing list for the application, any person who submitted comments during the public comment period, and any person who timely filed a request for a contested case hearing. The notice will include information about the opportunity to file a motion to overturn the executive director's decision. Any motion to overturn the executive director's decision must be submitted no later than 23 days after the date the agency mails notice of the issued permit.

5. Executive Director's Preliminary Decision

The executive director has made the preliminary decision that this proposed limited scope amendment to this permit, if issued, meets all statutory and regulatory requirements.

6. Additional Information

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

Mr. Henok Tewelde
Municipal Solid Waste Permits Section, MC 124
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711
(512) 239-0554

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 www.tceq.texas.gov/goto/wasteapps

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.