



July 22, 2026

Chance Robinson
Texas Commission on Environmental Quality
Municipal Solid Waste Permits – MC 124
P.O. Box 78711-3087
Austin, Texas 78711-3087

Re: Response to Technical Notice of Deficiency #1, TCEQ Tracking No. 32777977
West Sun Tex, LLC - WST Landfill, Pecos, Reeves County, Texas
MSW Permit No. 2431

Dear Mr. Robinson:

This letter provides Daniel B. Stephens & Associates, Inc.'s (DBS&A's) responses to comments received from you on May 29, 2026 on the initial permit application for WST Landfill sent March 30, 2026. Note that we had previously responded to Administrative Notice of Deficiency (NOD) 1, so these comments have been addressed as Revision 2 of the permit application. Comments are reproduced in *italics*, with responses immediately following in regular text.

1. *NT1: A) Provide a PE seal on all applicable portions, including, but not limited to, table of contents in Part I/II Appendix I/II-10-A, Part III Attachment III-4, Part III Attachment III-4 Appendix III-4-B, Part III Attachment III-4 Appendix III-4-C, Part III Attachment III-4 Appendix III-4-E, and cover page of Part III Attachment III-1.*
B) Provide Table of Contents for Part III, Part III Attachment 1 and Attachment 2, and Part IV Attachment 1.

Tables of contents have been provided for the specified sections, and PE seal has been added to all cover pages and tables of contents.

2. *NT2: Revise page numbers in application to consistently follow the same pattern of either "Part - Attachment - Page Number" or "Part - Page Number".*

Page numbers in the application have been revised to consistently follow the pattern of "Part-Page Number." As a result, nearly every page of the application has been revised, even if it was only a revision to the page number. For that reason, we have reproduced the entire permit application for this revision.

3. *T3: Revise the projected waste acceptance for five years starting with 2027 rather than 2025 as this year has passed.*

Section 11.2 of Attachment I/II-2, Attachment I/II-9, Attachment I/II-10 (including Appendix I/II-10-A), and Part IV have been revised with waste projection numbers from 2027 through 2031.

4. *NT4: Notice was sent to Pecos Municipal Airport about the proposed landfill however, no response was received. Please provide response from Pecos Municipal Airport.*

An email response was received from the PEQ manager indicating that they have no major concern. The email response was added to Appendix I/II-10-A and Section 18.2.2 of Attachment I/II-2 was updated.

5. *NT5: Review the reference to Part III Attachment 8 regarding the groundwater quality information. If this data is located elsewhere, provide a reference to the Section.*

Reference to groundwater quality information in Section 20.1 of Attachment I/II-2 has been updated. Section 7 of Attachment III-5 discusses a different set of water quality data; the correct reference has been provided.

6. *T6: A) Provide a facility layout map or set of maps in Attachment I/II-5 showing all required items in accordance with 330.61(d)(1) through (9). If the required maps are provided separately in other portions of the application, include them in Attachment I/II-5 as parts of a set of maps.*

B) In accordance with 30 TAC 330.3(52): Permit boundary must encompass all facility components required by rule including access control points. Explain why the facility entrance road and access gate are outside of the permit boundary.

Maps have been added as Figures I/II-5-12 through I/II-5-14.

7. *T7: Revise Appendix III-4-A Drawing C-1 or provide drawings to:*

A) Make the following legible, including, but not limited to, buffer zone, all facility fencing, interior roads.

B) Clarify the "100' Buffer".

C) Provide notes on sequence of development.

D) Indicate the type of waste in each sector.

Drawing C-1 has been revised as follows: (A) Buffer zone, fencing, and interior roads are more legible, (B) buffer zones have been revised to 125 feet minimum, (C) notes have been added on sequence of development, and (D) the type of waste is clearly listed for each landfill cell.

8. *NT8: Revise page 1 of the Part II Application Form (TCEQ-20885) so that the permit number is 2431 and not 2410.*

In addition, ensure the following forms also have 2431 as the permit number:

A) Form TCEQ-20720 closure plan,

B) Form TCEQ-20721 closure cost estimate,

C) Form TCEQ-20722 for post-closure, and

D) Form TCEQ-20723 for post-closure care cost estimate.

The permit number was revised to 2431 on TCEQ-20720, TCEQ-20721, TCEQ-20722 and TCEQ-20723 as part of Administrative NOD 1 (Revision 1).

9. *T9: Clarify the inconsistencies of the maximum elevations of waste and final cover between Appendix III-4-A Drawing C-14 (showing 2,788 and 2,790 feet msl, respectively) and Attachment III-4 Section 3 (showing 2,790 and 2,792 feet msl, respectively). Revise all relevant portions (including the text and drawings) as necessary.*

The maximum elevations of waste and final cover have been revised in Section 3 of Attachment III-4 to match the drawings.

10. *NT10: Provide additional discussion in Attachment III -1 Section 4 on how the facility meets the location restrictions referenced in Attachment III-5: The Geology Report.*

Added in language addressing geology restrictions under 30 TAC 330.549(b) to Section 4 of Attachment III-1. The facility is not located over the Edwards Aquifer, so this location restriction is not applicable.

11. *Explain in more detail the facility access features such as the type and location of fences or other suitable means of access control.*

Section 1.1 of Attachment III-2 has been revised to include discussion of the barbed wire fence and how that fence ties into the access control berm around the property boundary.

12. *A) Provide ventilation and odor control measures for each storage, separation, processing and disposal unit.*

B) Clarify if the evaporation pond in Section 1.2 is "stormwater retention pond" or "contact stormwater/leachate pond". Revise to use consistent names throughout the application to avoid confusion.

C) Describe in detail the odor management from the evaporation pond in Section 1.2.

(A) Ventilation and odor control measures for each storage, separation, processing and disposal unit were provided in Section 1.2.1 of Attachment III-2.

(B) The contact stormwater pond is the same as the contaminated stormwater pond. Language throughout the application has been revised to use consistent names.

(C) Section 1.2 of Attachment III-2 has been revised to include odor prevention strategies for landfill cells, the CCS, and the contaminated water pond.

13. *T13: A) Provide generalized construction details of the run-on pond.*

B) Provide generalized construction details of the following (including, but not limited to, amounts, dimensions, capacities, materials used): (1) Roll-off containers in the Citizen's Collection Station (CCS). (2) Roll-off containers or trailers for tires and white goods storage.

(A) Added generalized construction details about run-on pond to Section 1.4 of Attachment III-2.

(B1) Added text in Section 1 of Attachment III-4 on roll-off details in the CCS.

(B2) Added text in Section 1 of Attachment III-4 on roll-off details for tires and white goods storage.

14. T14: *Explain in more detail how the CCS is designed to facilitate proper cleaning (including, but not limited to, providing adequate floor or sump drains to remove wash water).*

Modified text in Section 1 of Attachment III-4 adding details to improved surface and sump in CCS. Added a sump in a downslope location (Drawing C-2) and a sump detail (Drawing C-18).

15. T15: *Attachment III-4 indicates the CCS will not be used for any on-site processing. Attachment I/II-9 indicates the CCS is used to store and process waste.*

A) Clarify the inconsistency and revise all relevant portions of the application as necessary.

B) Provide descriptions in more detail on water pollution control from the CCS to be in compliance with 330.63(b)(4).

Clarify if the storage tanks in Attachment III-2 Section 1.4.1 and Attachment III-4 Section 1 are leachate storage tanks in Appendix III-4-A Drawing C-1 and Appendix III-4-B.

A) Provide generalized construction details of storage tanks (including, but not limited, amounts, dimensions, capacities, materials used) with the drawings including cross-sections.

B) Revise all applicable portions of the application as necessary (including, but not limited to, Attachment III-2, Appendix III-4-A, Appendix III-4-B).

C) Delete "or larger" from the phrase "At least one 3,000-gallon tank (or larger)" in Sections 4.7 and 5.3.6 and revise all applicable portions of the application.

D) Provide calculations for secondary containment of leachate storage tanks. If the required information is already included in the application, reference the location.

Attachment III-4 Responses:

(A) Unchecked box in Attachment I/II-9 indicating that processing is one of the purposes of the CCS.

(B) A 60,000-gallon sump will be installed in the southeast corner of the CCS to contain wash water. Additional details have been provided in Section 1 of Attachment III-4. The HDPE storage tanks referenced in Section 1.4.1 of Attachment III-2 and Section 1 of Attachment III-4 are the same leachate tanks referenced in Drawing C-1/C-18 (Appendix III-4-A) and Appendix III-4-B.

Appendix III-4-A and Appendix III-4-B Responses:

(A) Generalized construction details for the leachate storage tanks have been provided in Drawing C-1/C-18 (Appendix III-4-A) and in Section 4.7 and Section 5.3.6 of Appendix III-4-B.

(B/C) Language regarding leachate tanks has been revised in Section 1.4.1 of Attachment III-2, Sections 4.7 and 5.3.6 of Appendix III-4-B, and Section 7.4 of Attachment III-4-B1.

D) Sections 7.4 and 7.5 of Attachment III-4-B1 (LCWP Calculations) have been revised to include calculations for secondary containment volume, including 110 percent of the largest tank and precipitation from the 25-year, 24-hour design storm.

16. Attachment III-4 Appendix III-4-B:

A) Revise Section 5.3.6 to clarify which evaporation pond(s) will be used for leachate storage.

B) Clarify if the contaminated water pond in Drawings C-1 and C-12 is different from the contact stormwater pond and if it is located over Cell 6. Provide narratives of generalized construction details of contaminated water pond and calculations for contaminated water pond sizing in Part III Site Development Plan (SDP).

Attachment III-4 Appendix III-4-C:

Clarify the temporary stormwater pond in Drawing C-15 in Attachment III-4-C1.

Attachment III-4 Appendix III-4-E:

Revise the location referring to "Contact Stormwater/Leachate Evaporation Pond" in Figure 3.

Appendix III-4-B Response:

(A) Revised Section 5.3.6 of Appendix III-4-B to state that the evaporation/contaminated water pond is located within Cell 6 and is double-lined.

(B) Clarification was added to Attachment III-4 regarding the evaporation/contact stormwater/contaminated water pond. 30 TAC 330.63(d)(1)(B) references the General Facility Description (Attachment III-2) and not the Site Development Plan. Generalized construction details for the contaminated water pond were added to Attachment III-2. Calculations for the contact stormwater/contaminated water pond are provided in Appendix III-4-D.

Appendix III-4-C Response: Original label in Drawing C-15 was incorrectly identifying the stormwater channel as the contaminated water pond. The label has been removed from the drawing.

Appendix III-4-E Response: Callout for the contact stormwater/leachate evaporation pond in Figure 3 was in incorrect location and has been removed.

17. T17: *Specify the maximum allowable period of time that unprocessed and processed waste is to remain onsite.*

Roll-off containers will be removed and waste will be disposed of as they are filled; however, waste will remain in the CCS no longer than 90 days prior to removal for final disposal. Language has been added to Section 1 of Attachment III-4.

18. T18: *Attachment III-4 Appendix III-4-C:*

A) Revise Section 2.3 to specify the amounts of contact stormwater ponds in the text to be consistent with drawings in Attachment III-4-A.

B) Clarify the purposes of each of three contact stormwater ponds (i.e., for collection of leachate only, for stormwater management only, or for contaminated water/leachate/stormwater management).

C) Clarify the inconsistencies in descriptions of the liner design for contact stormwater pond between Section 2 and Attachment III-4-A Drawing C-11. Revise all relevant portions (including the text and drawings) of the application as necessary.

D) Clarify if contaminated water pond is different from contact stormwater pond(s) and if so, provide a liner quality control plan for contaminated water pond.

Appendix III-4-E:

A) Revise Figure 6 to make it legible.

B) Revise Appendix III-5-F to Appendix III-4-F in its cover page and table of contents of Attachment III-4.

Appendix III-4-C Responses:

(A) Revised the text to clarify that the contact stormwater pond is referred to as the contaminated water pond within the drawings.

(B) There is only one contact stormwater pond present in Cell 6 (see Drawing C-1). There are three stormwater retention ponds surrounding the cells that are designed for stormwater management only.

(C) Section 2 of Attachment III-4 was revised to specify the dimensions, volume, and construction details for the contact stormwater pond. Drawing C-11 was revised to include specifics on the contact stormwater pond liner design. The original label in Drawing C-15 was incorrectly identifying the stormwater channel as the contaminated water pond. The label has been removed from the drawing.

(D) The contaminated water pond is the same as the contact stormwater pond. No liner quality control plan is necessary.

Appendix III-4-E Responses:

(A) Figure 6 was revised to sub-figures III-4-E-6A through III-4-E-6H in Appendix III-4-E.

(B) Appendix III-5-F was revised to Appendix III-4-F in its divider and the Attachment III-4 table of contents.

19. T19: Attachment III-4 Section 3. Provide descriptions or reference the specific location in Part IV SOP related to control to minimize the tracking of mud onto the public road.

Section 3 of Attachment III-4 was revised to provide a reference to Section 17 of the SOP (Part IV).

20. T20: Clarify if the estimated maximum rate of solid waste deposition of 104,026 cubic yards per year is during the facility life or for 2030. If the latter provides the estimated maximum annual waste acceptance rate during the facility life and if applicable, revise the calculations of the operating life of the landfill.

Section 11.2 of Attachment I/II-2 and Attachment I/II-9 have been revised with waste projection numbers from 2027 through 2031. The maximum annual waste acceptance rate is approximately 62,600 tons. Traffic projections in Attachment I/II-10 and Appendix I/II-10-A have been revised such that the maximum waste acceptance rate is 62,600 tons.

21. T21: Provide a sufficient number of cross-sections both latitudinally and longitudinally, including, but not limited to, Attachment III-4-A Drawings C-12 and C-13, and Appendix III-8-A.

The existing cross sections have been revised to clearly indicate which cell is being represented, and the Class 1 soil barrier is shown for the Class 1 cell (Cell 4). The final cover sections will be the same for the whole landfill (outside of the Class 1 barrier), and the same liner section will be used for all six cells.

22. T22: Appendix III-4-E Section 2.3. Specify the location of Figure III-4-E-3.

Figures names in Appendix III-4-E were revised from Figures 1 through 6 to Figures III-4-E-1 through III-4-E-6.

23. T23: A) Clarify if Attachment III-4-C2, Testing Requirements for Liner System Components, is prepared consistent with the current TCEQ Regulatory Guidance RG-534 - Guidance for Liner Construction and Testing for a Municipal Solid Waste Landfill (Rev. September 2017). Examples include, but are not limited to, Table III-4-C2-1.

B) Revise all relevant portions of the application as necessary.

The testing requirements in Attachment III-4-C2 were prepared consistent with TCEQ RG-534. Section 1.1 of Appendix III-4-C states that "The LQCP was developed in accordance with TCEQ regulatory guidance (TCEQ, 2017). . ." The reference quoted is RG-534.

24. T24: A) The application proposes an alternative liner design for cells designed to manage class 1 industrial solid waste. The currently proposed alternative design is only sufficient for an alternative

to an MSW composite liner under 330.331(b). The alternative liner must be evaluated based on the prescribed liner in 30 TAC 330.331(e) and the underlying soil property requirements detailed in the location restrictions in 30 TAC 335.584(b)(1) and (2). Revise to address the additional class 1 cell requirements, that is equivalent to at least three-foot layer of re-compacted soil with a hydraulic conductivity of no more than 1×10^{-7} cm/sec, including the 10-foot thick soil separation requirement in 335.584(b)(2). Revise Attachment III-4-C Liner Quality Control Plan to be in compliance with the requirements for class I cells in accordance with 330.331(e). Revise all relevant portions of the application as necessary, including the text and drawings.

B) Revise the text and drawings (including, but not limited to, Attachment III-4 Drawing C-19) to clearly indicate Class 1 cells and non-Class 1 (MSW) cells.

(A) The alternative liner design was evaluated relative to location restrictions dictated under 30 TAC 335.584(b)(1) and (2). Annual evaporation exceeds annual precipitation by 56 inches, which satisfies the exception provided in 30 TAC 335.584(b)(1)(A) of a minimum of 40 inches. The underlying sand-bearing soil units are also not laterally contiguous and will not provide a pathway for waste migration. 30 TAC 335.584(b)(2) requires that facilities located over a regional aquifer be separated from the base of the containment structure by at least 10 feet of fat clay. The deepest soil boring on the site (SB-4) (Attachment III-5-C) identifies a continuous 40-foot-thick interval of lean clay. The performance of 10 feet of fat clay was compared to lean clay (25 and 40 feet thickness) using the HELP model. The computerized demonstration showed that 25 feet of lean clay is considered to be as protective or better than 10 feet of fat clay.

(B) Drawings C-1 and C-19 (Appendix III-4-A) have been revised to indicate Class 1 and non-Class 1 (MSW) cells.

25. T25: *The liner system in the application constitutes an alternative liner design according to 30 TAC 330.335. Revise Attachment III-4-C to provide a demonstration by computerized design modeling showing that the maximum contaminant levels detailed in 30 TAC 330.331, Table 1 will not be exceeded at the point of compliance. A field demonstration may be required to prove the practicality and performance capabilities of an alternative liner design.*

Attachment III-4-B2 provides HELP model results for the proposed alternative liner system under open, intermediate, and closed conditions. The model results indicate no leakage through the GCL, even under conservative assumptions that include exposed waste and geomembrane defects. In addition, the demonstrations in Section 2.1 of Attachment III-4-C and Attachment III-4-F show that the GCL provides protection equivalent to or greater than a 3-foot compacted clay liner. The containment structure is also underlain by substantial intervals of lean clay, including approximately 40 feet identified in SB-4, which provides greater protection between the liner system and the point of compliance than the 10 feet of fat clay prescribed by 30 TAC 335.584(b)(2). Even in the unlikely event of leachate escaping through the composite liner system, the contaminants will not reach the water table. The drilling of deep monitoring wells to the regional aquifer will include an evaluation of whether a minimum of 25 feet of lean clay is present in the subsurface across the site. These

subsurface conditions are expected due to the perched water table found below the site, which requires a continuous low-permeability layer, or aquitard, to retain groundwater above the regional aquifer.

26. *NT26: Boring location map (PDF Pg. 1233), boring SB-14 is mislabeled as SB-17. Please correct this map.*

The map has been updated to correctly reflect names of soil borings.

27. *T27: The contour map is of the perched water zone. Is the permittee intending to monitor both perched and uppermost aquifer? Provide a contour map of uppermost aquifer and identify upgradient and downgradient positions and base a POC on the uppermost aquifer.*

A contour map of the Pecos Valley Aquifer has been added as Figure III-6-A-2, and Figure III-6-A-1 has been revised to delineate monitoring points for the dual monitoring system discussed in comment T28. The Groundwater Monitoring Plan in the Geology Report (Attachment III-5) has also been revised. TCEQ stated that the review team agreed with the proposed approach in an email dated June 23, 2026.

28. *T28: The proposed GW monitoring system is only designed to monitor the perched zone and not the uppermost aquifer as required by rule. Appendix III-6-A has well depths and screening too shallow for the uppermost aquifer. At locations where perched groundwater is expected to be impacted first, TCEQ has accepted a dual monitoring system to ensure detection of a release from the waste management unit and safeguard local water uses. Propose a groundwater monitoring system that monitors the uppermost aquifer and areas of the perched zone where the P.G. anticipates the most likely pathways for detection of contaminants.*

Proposed wells MW-1D, MW-4D, and MW-8D have been added to monitor the POC in the uppermost aquifer. The remaining monitor well network is focused on first occurrence of water. Monitoring perched water provides the best opportunity to “reasonably assure detection of any contamination of the groundwater before it migrates beyond the boundaries of the site,” in accordance with 30 TAC 332.47(C)(ii). TCEQ stated that the review team agreed with the proposed dual monitoring approach in an email dated June 23, 2026.

29. *T29: Address this requirement and provide any known background groundwater quality values. If this information is located elsewhere in the application, please provide a reference to that section.*

Background water quality data is provided in Appendix III-5-F. A reference to this appendix has been included in Section 4.1 of the SAP (Attachment III-6).

30. *NT30: Provide a statement in the GWSAP acknowledging that this certification will be completed and submitted as part of the pre-opening requirements in 330.73.*

The requested certification language has been added to a new Certification section at the beginning of the SAP (Attachment III-6).

31. *NT31: Revise to clearly identify background/upgradient wells for both the perched water bearing unit and the uppermost aquifer.*

Attachment III-5 (Section 8 and Table III-5-5) has been revised to include wells in both water-bearing units as part of a dual monitoring system per comment T28. TCEQ stated that the review team agreed with the proposed dual monitoring approach in an email dated June 23, 2026.

32. *NT32: Revise to acknowledge this requirement*

The requested language has been added to a new Certification section at the beginning of the SAP (Attachment III-6).

33. *NT33: Provide a P.G. certification statement that the GW monitoring system has been designed in accordance with Chapter 330 Subchapter J.*

The requested language has been added to a new Certification section at the beginning of the SAP (Attachment III-6).

34. *T34: Explain and justify the distance between MW-12 and MW-13 which is noted on Table III-6-A-1 as 1,702 feet which is greater than the 600 feet maximum spacing required by 330.403(a)(2).*

GW-3 was initially planned for inclusion in the groundwater monitoring system, but was removed when its location conflicted with site operations. A new well has been added to the groundwater monitoring system in the vicinity of GW-3. The locations for MW-12 through MW-14 are 851 feet apart, but this variance is acceptable given the well's upgradient location relative to proposed facility operations. Attachment III-5 (Section 8 and Table III-5-5) have been revised accordingly. Well spacing for the three wells in the uppermost aquifer exceeds the 600-foot requirement; however, the facility is committed to installing additional wells if contamination of groundwater is determined.

35. *NT35: Provide a statement that the ED may establish alternative Groundwater Protection Standards.*

Section 5.3 of Attachment III-6 has been revised to specify the ED rather than just the TCEQ in general, and a reference to 30 TAC 330.409(i) has been added.

36. *NT36: The application proposes buildings outside of the permit boundary. All structures, equipment, and land used for solid waste management must be under the control of the permittee and subject to inspection. See the definition of "Facility" and MSW facility in 30 TAC 330.3. Revise to explain why these landfill appurtenances are not within the permit boundary, why it is necessary to have these appurtenances outside the permit boundary, and how the permittee intends to comply with inspections and permit requirements for the appurtenances outside the permit boundary.*

Section 3.1.1.4 of the LFG Plan (Attachment III-7) has been revised to discuss the fact that there are buildings that will serve dual purpose for both the oil and gas permit and the MSW permit. Because the permits do not overlap, there are some buildings that are not

within the MSW permit boundary. However, these buildings will be inspected and monitored as if they were within the permit boundary. An easement could be provided, if necessary, although the land currently has the same owner.

37. NT37: *This section provides for a week of monitoring before triggering implementation of the remediation plan. This does not comply with Section 330.371(c) which required implementation upon the initial exceedance. Revise Section 3.1.4.2 to implement the plan within 60 days, not provide a plan for review within 60 days. PDF Pg. 1483 states within 60 days the plan will be prepared, not implemented.*

Section 3.1.4.2 of Attachment III-7 has been revised to state that the remediation plan will be implemented within 60 days from the initial exceedance.

38. NT38: *Revise to address this rule within the landfill gas management plan.*

Added statement in Section 3.1.3.1 of Attachment III-7 addressing alternative schedules under 30 TAC 330.371(d).

39. NT39: *The application states that a gas collection and control system will be installed and maintained but does not discuss flaring of excess landfill gas. Provide further discussion regarding the system and/or a flow diagram showing the components of the system. If this information is located in other sections of the application, please reference them.*

Section 3.2.1.2 of Attachment III-7 discusses the gas control system, which includes flares and other devices. A sentence has been added to specifically mention the control devices are used to manage excess landfill gas, and that the specific device will be included in a future GCCS design.

40. NT40: *Revise to explain methane monitoring for buildings associated with the landfill outside of the permit boundary. See comment MRI 656 for additional background.*

Section 3.1.1.4 of Attachment III-7 has been revised to explicitly state that the buildings and equipment associated with methane monitoring will remain under the control of the permittee and will be accessible to TCEQ personnel for inspection as if they were within the permit boundary. The permittee will operate and maintain these items on the property in accordance with applicable permit and regulatory requirements.

41. T41: *Attachment III-4 Appendix III-4-E:*

A) *Clarify if landfill cover in Section 2.4 is final cover and if so, revise Section 2.4 accordingly.*

B) *Clarify if Table III-4-E-2 in Section 5.2.2 is Table III-4-E-1 and if so, revise it accordingly.*

(A) The third bullet in Section 2.4 of Appendix III-4-E has been revised to reference “Final Cover.”

(B) Table reference has been corrected to Table III-4-E-1.

42. T42: Clarify the thickness of geomembrane (linear low-density polyethylene, LLDPE) in the final cover system to meet the minimum thickness requirement in accordance with 330.457(a)(1).

The thickness of geomembrane in the final cover system has been clarified to be 40 mil. This has been revised in the Slope Stability Evaluation (Section 2.4 of Appendix III-4-E), Detail 5 of Drawing C-18 of (Appendix III-4-A), the liner QC plan (Appendix III-4-C), and the closure cost estimate (Appendix III-8-C).

43. T43: The final cover for a cell designated for Class 1 industrial solid waste must comply with the design requirements in accordance with 330.457(b). Clarify how the final cover for a Class 1 cell meets the requirements in 330.457(b) and revise all applicable portions accordingly (including the text and drawings) throughout the application.

Various portions of the application, including the Waste Management Unit Design (Attachment III-4) and the engineering drawings (Appendix III-4-A, Drawing C-15), have been revised to clarify that 4 feet of compacted clay-rich soil material with a coefficient of permeability no greater than 1×10^{-7} cm/s will be placed on top of Class 1 industrial solid wastes prior to placement of MSW in Cell 4. The final cover over the aerial fill will include a flexible membrane component, similar to the other MSW cells that do not include Class 1 waste.

44. T44: Indicate that the permeability control data of the final cover's 18 inches of compacted clay-rich soil shall be provided to the agency, as required by 30 TAC 330.457(c).

Revised Section 2.2 of Appendix III-8-C (TCEQ-20721) to indicate that permeability control data for the 18 inches of compacted clay-rich soil in the final cover will be submitted to TCEQ.

45. T45: Form TCEQ-20720:

A) Clarify and correct the inconsistency between "Size of Unit's Waste Footprint" and "Totals" in Table 1.

B) List each of waste storage or processing units or operations in Table 2.

C) Provide separate final cover system components descriptions for Class 1 and non-Class 1 cells or provide a clarifying statement that the final cover system components for all landfill cells are completely the same.

Appendix III-8-A:

A) Clarify the total number of landfill cells and revise all relevant portions of the application (including the text and drawings) as necessary.

Provide cross-sections A-A', B-B', C-C' and D-D' in Appendix III-8-A or provide a note to refer to the locations if they are already included in the application.

Form TCEQ-20720 Responses:

(A) Table 1 has been revised to state that the total footprint is 120.9 acres.

(B) The proposed leachate tank was added to Table 3, and 2 future leachate storage tanks have also been added to Table 3.

(C) Final cover system components will be the same for all cells. A clarifying statement has been added to Section III.

Appendix III-8-A Responses:

A) The landfill will have six cells. The cover sequencing plan has been revised to reflect the current layout. A note has been added to reference the location of the cross sections in the engineering drawings (Appendix III-4-A, Drawing C-1).

46. *T46: Clarify the inconsistencies between "Cost" and "Quantity" × "Unit Cost" on Form TCEQ-20721 (including, but not limited to, Items 1.1, 1.2, 1.3, 3.4.2). Revise all relevant portions of the application as necessary.*

Costs are rounded up to the nearest \$100. A footnote has been added to Form TCEQ-20721 stating this fact. Rounding the calculations up is a conservative assumption (i.e., higher than the actual calculation).

47. *T47: Clarify the inconsistencies in Drawings C-10 through C-12 between the list of drawings under Table 2 on Form TCEQ-20722 (showing C-10 Cell Phases 1 & 2, C-11 Cell Phases 3 & 4 and C-12 Cell Phases 5 & 6) and Appendix III-4-A.*

Table 2 on Form TCEQ-20722 has been revised to correspond to drawing titles in Appendix III-4-A.

48. *T48: Form TCEQ-20723:*

A) Clarify the total permitted waste footprint in Section V.

B) Clarify the inconsistencies between "Annual Cost" and "Annual Quantity" × "Unit Cost" (including, but not limited to, Items 2.2, 3.2). Revise all relevant portions of the application as necessary.

(A) Total permitted waste footprint has been revised to 120.9 acres in Section V of TCEQ-20723.

(B) Various items in the post-closure cost estimate have been revised to clarify visible rounding that resulted in the noted discrepancies within various calculations. The annual cost for Item 3.2 is rounded up to the nearest \$10 by design (\$21,157.50 rounded to \$21,160). That number has not been revised, but is conservative (i.e., higher than the actual calculation).

49. *T49: A) Suggest providing a separate closure plan in addition to Form TCEQ-20720 and Form TCEQ-20722 to allow more detailed discussion of the facility's closure and post-closure plans.*

B) Provide a separate and consolidated final cover quality control plan (FCQCP) either in Attachment III-8 closure plan or Attachment III-4-C liner quality control plan. Final cover quality control information is unconsolidated and spread throughout Part III Attachment 4.

(A) Based on review of other approved permit applications, a separate closure plan outside of the prescribed forms is not required. If there is additional detail that needs to be added to the form, please let us know.

(B) A Final Cover Quality Control Plan (FCQCP) has been added as Attachment III-10.

50. *NT50: Revise Part IV Section 4 to state clearly that the facility will operate in accordance with the SOP and remove 'in general' from the text.*

Part IV Section 4 was revised to state that WST Landfill will be operated according to the SOP, the site development plan, the final closure plan, the post-closure care plan, the landfill gas management plan, the groundwater sampling and analysis plan, and any other required plan or other related document.

51. *NT51: Revise to provide language in Part IV Section 3 indicating that the executive director may set alternative schedule for recordkeeping and notification per 30 TAC 330.125(h).*

Section 3 of Part IV was revised to state that the executive director may set an alternative schedule for recordkeeping and notification per 30 TAC 330.125(h).

52. *NT52: Revise to include language in Part IV Section 4.5.2 indicating that the facility will also notify any local pollution agency with jurisdiction that has requested to be notified.*

Section 4.5.2 of Part IV was revised to include the notification of local pollution agencies with jurisdiction.

53. *NT53: Provide a summary in Part IV Section 15 that describes how the facility's leachate and contaminated water plan in Part III Appendix III-8-4 will be implemented regarding the odor control plan.*

Section 15 of Part IV has been revised to include language on how the odor control plan will be implemented.

54. *NT54: In Part IV Section 17, specify the frequency in which the on-site road will be maintained.*

Section 17 of Part IV was revised to say that the on-site road will be maintained semiannually at minimum.

55. *NT55: Revise Part IV Section 26.2 so it states untreated medical waste instead of treated medical waste.*

Section heading and text of Section 26.2 of Part IV revised to state “untreated medical waste.”

Chance Robinson
July 22, 2026
Page 15

Closing

A new complete permit application – both redline and clean versions – has been provided electronically with this response. The requested paper copies will follow.

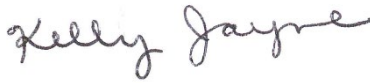
Please let us know if you have any further questions.

Sincerely,

DANIEL B. STEPHENS & ASSOCIATES, INC.



Gundar Peterson, P.E.
President



Kelly Jayne
Project Manager

KJ/rpf