

**130 ENVIRONMENTAL PARK
CALDWELL COUNTY, TEXAS
TCEQ REGISTRATION NO. MSW 40269**

**TYPE V REGISTRATION APPLICATION
RESPONSE TO SECOND NOTICE OF DEFICIENCY**

Prepared for

130 ENVIRONMENTAL PARK, LLC

July 2014

Prepared by

BIGGS & MATHEWS ENVIRONMENTAL

1700 Robert Road, Suite 100 ♦ Mansfield, Texas 76063 ♦ 817-563-1144

TEXAS BOARD OF PROFESSIONAL ENGINEERS
FIRM REGISTRATION No. F-256

TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS
FIRM REGISTRATION No. 50222

And

BIGGS & MATHEWS, INC.

2500 Brook Avenue ♦ Wichita Falls, Texas 76301 ♦ 940-766-0156

TEXAS BOARD OF PROFESSIONAL ENGINEERS
FIRM REGISTRATION No. F-834



BIGGS & MATHEWS ENVIRONMENTAL

Consulting Engineers • Hydrogeologists

Mansfield • Wichita Falls

July 11, 2014

Charles Brown, Environmental Permit Specialist
Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: 130 Environmental Park Transfer Station – Caldwell County
Municipal Solid Waste (MSW) – Registration Application No. 40269
Second Notice of Deficiency (NOD)
Tracking Nos. 17451152, 17530277 & 17938640; RN106897036/CN604375972

Dear Mr. Brown:

This response to your second notice of deficiency letter addressed to Mr. Ernest Kaufmann, President and Manager of 130 Environmental Park, LLC, dated June 16, 2014, is submitted on behalf of 130 Environmental Park, LLC, for the referenced permit application. Our responses to the Texas Commission on Environmental Quality (TCEQ) comments are presented below in the order listed in your letter.

PARTS I AND II

1. There are several sections of the application where the facility name is noted as 130 Environmental Park. According to the Part I Form, the facility name is 130 Environmental Park Transfer Station. Please revise the following sections to reference 130 Environmental Park Transfer Station.
 - a. Part I, Section 1.1, Site History
 - b. Part I, Section 5, Legal Authority
 - c. Part II, Section 11.3, Surface Water
 - d. Part II, Section 12.1, Water Wells
 - e. Part II, Section 12.2, Oil and Gas Wells
 - f. Part III, Appendix IIIA, Section 3, Facility Surface Water Drainage Report
 - g. Part III, Appendix IIIC, Section 2, Closure Requirements
 - h. Part III, Appendix IIIC, Section 3, Certification of Final Closure
 - i. Part IV, Section 7.4, Operating Hours

RESPONSE: *The facility name has been updated to 130 Environmental Park Transfer Station as requested.*

2. In accordance with 30 TAC §281.5(6), please include addresses for all on-site easement holders on the land owner list in Part I, Appendix IB.

RESPONSE: 30 TAC §281.5(6) requires "a list of adjacent and potentially affected landowners and their addresses along with a map locating the property owned by these persons". 30 TAC §330.59(c)(3)(B) requires a land ownership map with accompanying landowners list. Subsection (B) provides "The [landowners] list shall comply with the requirements of §281.5 of this title, and shall include all property owners within 1/4 mile of the facility, and all mineral interest ownership under the facility. Property and mineral interest owners' names and mailing addresses derived from the real property appraisal records as listed on the date that the application is filed will comply with this paragraph." The Land Owners List on Part I, Appendix IB, page IB-1 satisfies these requirements and was derived from the real property appraisal records of the Caldwell County Appraisal District. Those records do not include information on names or addresses of holders of easements on the site.

3. Comment 12c of the first NOD requested an explanation of how the peak hours of facility operation and the percentages of daily site traffic during the analysis hour reported in Table 2 in Appendix IIC, Transportation Study were determined. Table 2 only indicates that these values were provided by 130 Environmental Park, LLC. The response indicates that detailed data are provided in the Appendix to the Transportation Study, but does not explain the source of the data. Please explain how these data were obtained by 130 Environmental Park, LLC.

RESPONSE: The peak traffic hour for the proposed 130 Environmental Park and the percentages of daily site traffic during that analysis hour in Table 2, Appendix IIC, Traffic Impact Analysis, are based on the site traffic estimates on the first page of the Appendix at the back of the Traffic Impact Analysis. As described in 30 TAC §330.61(i)(3), the site traffic estimates are projections of the volume of traffic expected to be generated by the transfer station and landfill. While various other traffic numbers in the Traffic Impact Analysis (e.g., the volumes shown on Table 4, Table 5, and Figure 7) are based on actual traffic data (reported TxDOT historic traffic counts and automated traffic counts collected specifically for this Traffic Impact Analysis), the 130 Environmental Park related traffic volumes in the Analysis are only estimates of future traffic associated with the proposed transfer station and landfill (that do not currently exist) and do not include any actual traffic data.

4. Comment 17 of the first NOD requested a response letter from the Capital Area Council of Governments (CAPCOG) to document coordination in accordance with 30 TAC §330.61(p). Please provide CAPCOG's response when it is received.

RESPONSE: In a meeting on Thursday, May 22, 2014, following the unanimous recommendation of its Conformance Review Subcommittee that the proposed 130 Environmental Park facility conforms to the Regional Solid Waste Management Plan, the Capital Area Council of Governments (CAPCOG), Solid Waste Advisory Committee (SWAC) voted to recommend the facility to the Executive Committee for final decision at their July or August meeting. A copy of the draft minutes of the SWAC meeting is

provided in Appendix III to document ongoing coordination in accordance with 30 TAC §330.61(p); see Item 9 on page IIH-i-5.

5. Section 1.1 Easements and Buffer Zones: It is stated "No solid waste unloading, storage, disposal, and processing operations will occur within any easement, buffer zone, or right-of-way that crosses the facility." As this is a transfer station and will not be authorized for disposal operations, please remove the word disposal from the section.

RESPONSE: The word "disposal" has been removed from Part II, Section 1.1 – Easements and Buffer Zones as requested.

6. Section 1.1 Easements and Buffer Zones: It is indicated that the distance between the facility boundary and the transfer station exceeds the minimum distance of 125 feet. In accordance with 30 TAC §330.543(b)(1), the minimum buffer zone for processing facilities is 50 feet. Please revise this section to reflect the 50 foot buffer zone requirement.

RESPONSE: Section 1.1 – Easements and Buffer Zones has been revised to indicate that the minimum buffer zone for processing facilities is 50 feet.

7. Section 2.1 Properties and Characteristics of Waste: Please revise this section to indicate that, in accordance with 30 TAC §330.15(e)(6)(B), the facility will not accept containers holding liquid waste.

RESPONSE: Section 2.1 – Properties and Characteristics of Waste has been revised to include "containers holding liquid waste" in the list of prohibited wastes.

8. Section 2.2, Volume and Rate of Disposal: It is stated "The transfer station will not transfer more than 125 tons per day". However, it is indicated in Section 2.2 of Part IV of the application that the maximum amount of waste to be transferred is 94 tons per day. Please revise the application to consistently state the maximum daily waste acceptance rate.

RESPONSE: Section 2.2 – Volume and Rate of Disposal has been revised to state that the maximum amount of waste to be transferred is 94 tons per day.

9. Section 12.2, Oil and Gas Wells: It is indicated that there is one plugged and dry hole within the facility boundary. In accordance with 30 TAC §330.61(l)(2), please provide written certification and supporting documentation that this well has been properly capped, plugged, and closed in accordance with all applicable rules and regulations of the Railroad Commission of Texas.

RESPONSE: Records for this plugged dry hole are included in new Appendix IIK – Railroad Commission Records.

10. Section 13.1, Floodplains: It is indicated that floodplain modeling for the site is included in the application for the 130 Environmental Park landfill (MSW #2383).

Please provide the floodplain modeling in the application for the 130 Environmental Park Transfer Station (MSW #40269).

RESPONSE: A copy of Attachment C2 – Flood Control Analysis from the Type I permit application (MSW No. 2383) is included in this submittal as Part III, Appendix IIIE.

11. Section 13.1, Floodplains: It is stated "The proposed transfer station will not be located within the limits of the 100-year floodplain. However, Drawing IIA.12 indicates that 100-year floodplain extends into the facility boundary, but does not appear to extend to the transfer station building. Please revise this section to clarify that the transfer station building and all operations will not be located within the 100-year floodplain.

RESPONSE: Section 13.1 has been revised as requested to state that the transfer station building and all operations will not be located within the 100-year floodplain.

12. Appendix IIA, Maps and Drawings: In accordance with 30 TAC §330.63(c)(2)(C) and 301.33(a)(2), please include the name and course of the watercourses that are associated with the proposed project.

RESPONSE: Labels for Dry Creek and the Unnamed Tributary have been added to Appendix IIA, Drawings IIA.7, IIA.12, and IIA.13 as well as Appendix II I, Drawing II I.2.

13. Appendix IIC, Transportation Study: This section provides data on volume of traffic expected to be generated by 130 Environmental Park, which includes both the proposed landfill and transfer station facilities. It is required by 30 TAC §330.61(i)(3) that the application include an estimate of the volume of traffic expected to be generated by the facility. For this registration, the facility is the 130 Environmental Park Transfer Station. Please provide an estimate of the volume of traffic expected to be generated by the transfer station.

RESPONSE: Projections of the volume of traffic expected to be generated by the 130 Environmental Park Transfer Station facility are included in Section 9.2, which has been added to Part II.

14. Part II of the application includes certification statements for location restrictions. However it appears that in your response to the December 23, 2013 NOD letter only redline/strikeout versions of several certifications were included. Please provide "clean" copies of the following certification statements in Part II of the application.

- a. Appendix IIG, TPDES Permit.
- b. Appendix IIJ, Easements and Buffer Zones
- c. Appendix IIJ, Floodplains
- d. Appendix IIJ, Groundwater

RESPONSE: Clean copy location restrictions are included in this submittal in Part II, Appendix IIJ.

PART III

15. Section 2.4, Water Pollution Control: It is indicated that soil will be built up on the north side of the facility to divert surface water drainage around the facility. Please provide designs for these improvements that demonstrate compliance with 30 TAC §330.303.

RESPONSE: *Sections 2.4 and 3 have been updated and Appendix IIIA2 added to provide design information for the swale that will convey surface water around the transfer station building and adjacent paved area.*

PART IV

16. Section 4.1, Solid Waste Storage: It is stated "The transfer station will only accept construction or demolition waste and other inert material." Please provide a description of other inert material. This description should be consistent with limitations of the waste acceptance plan in Part II of the application.

RESPONSE: *Section 4.1 has been updated to clarify that only waste meeting the definition of construction or demolition waste in 30 TAC §330.3 will be accepted.*

17. Section 7.2, Unloading of Waste: Please provide provisions for remediation of any incident involving the unloading of hazardous waste or polychlorinated biphenyls waste at the facility.

RESPONSE: *Section 7.2 has been revised to include the requested provisions.*

18. Section 7.2, Unloading of Waste: Please provide provisions for the receipt of regulated asbestos-containing material (RACM) and nonregulated asbestos-containing materials (non-RACM) at the transfer station.

RESPONSE: *Section 7.2 has been revised to include the requested provisions.*

19. Section 7.2, Unloading of Waste: Please provide provisions for the handling of any amount of incidental municipal solid wastes unloaded at the facility.

RESPONSE: *Provisions have been added to Section 7.2 as requested.*

20. Section 7.3: Spill Prevention and Control: It is indicated that spill control and clean-up materials and equipment will be maintained at the transfer station building or other suitable location. The term other suitable locations is not defined in the application. Please provide the location(s) where spill control and clean-up materials and equipment will be maintained.

RESPONSE: *Section 7.3 has been updated to remove "or other suitable location".*

21. Section 7.4, Operating Hours: To address the requirements of 30 TAC §330.229(b), it is recommended that the SOP include five designated days to avoid the need to

contact regional staff for special occasions, special purpose events, holidays, or other special occurrences that will occur each year. The SOP should avoid specific dates, but rather refer to the event or occasion, such as "the Sunday after Thanksgiving" or "the Sunday after Christmas." If days are designated for alternative hours, the hours should be specified in the SOP and subsequently noted in the site operating record.

RESPONSE: *The facility does not wish to designate specific days at this time, but may choose to do so in the future. The facility will contact regional staff for alternative hours and document in the site operating record.*

22. Section 7.6, Control of Windblown Material and Litter: It is indicated that windblown material and litter collected at the site will be returned to the transfer station tipping floor. Some material collected may not meet the requirements of the facility's waste acceptance plan. Please indicate that any material and litter collected will be taken to a facility authorized to manage the waste.

RESPONSE: *Section 7.6 has been revised to include the requested language.*

23. Section 7.5, Facility Sign: It is indicated that the hours and days of operation will be posted on the site sign. It is not clear if both the site operating hours and waste acceptance hours will be posted on the site sign. Please revise this section to indicate that both operating hours and waste acceptance hours on the site sign as required by 30 TAC §330.231.

RESPONSE: *Section 7.5 has been revised to indicate that both operating hours and waste acceptance hours will be posted on the site sign.*

24. Section 7.12, Ventilation and Air Pollution Control: In accordance with 30 TAC §330.245(d), please revise this section to indicate that if nuisance odors are found to be passing the facility boundary, the facility owner or operator may be required to suspend operations until the nuisance is abated.

RESPONSE: *The requested language has been added to Section 7.12.1.*

25. Section 7.14, Employee Sanitation Facilities: It is indicated that portable sanitary facilities will be provided for employees and visitors. It is unclear from this description if these facilities will be sufficient for employee and visitor sanitation. Please provide a description of the sanitary facilities that will be provided.

RESPONSE: *Section 7.14 has been updated to specify that a minimum of two portable toilet facilities or constructed restrooms will be provided, which should be adequate based on the number of employees and visitors expected at the facility.*

26. Section 7.15, Facility Generated Wastes: Please revise this section to account for the proper management of waste collected from the facility grit traps.

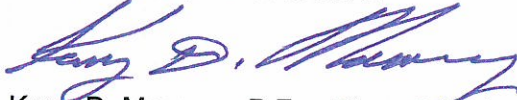
RESPONSE: *Language has been added to Section 7.15 to discuss the disposal of grit trap waste.*

Mr. Charles Brown
July 11, 2014
Page 7

We trust these responses are satisfactory to you and meet the rules and regulations of the TCEQ. If you need additional information, please let us know.

Sincerely,

BIGGS & MATHEWS ENVIRONMENTAL
TBPE No. F-256 ♦ TBPG No. 50222

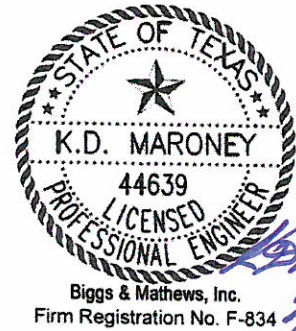


Kerry D. Maroney, P.E. – Biggs & Mathews, Inc. (F-834)
Principal Engineer

Attachments: Response to Second Notice of Deficiency

cc: Mr. Ernest Kaufmann, President and Manager of 130 Environmental Park, LLC

Mr. Gene Muller, TCEQ, Waste Section Manager, Austin Regional Office,
MC R-11, PUBCOMMENT-R11AUS





Texas Commission on Environmental Quality

Permit or Registration Application for Municipal Solid Waste Facility

Part I

A. General Information

Facility Name:	130 Environmental Park Transfer Station			
Physical or Street Address (if available):	North of FM 1185 in Caldwell County, between U.S. Highway 183 and Homannville Trail.			
(City) (County)(State)(Zip Code):	Lockhart	Caldwell	TX	78644
(Area Code) Telephone Number:	770-720-2717			
Charter Number:	801836528			

If the application is submitted on behalf of a corporation, provide the Charter Number as recorded with the Office of the Secretary of State for Texas.

Operator Name ¹ :	130 Environmental Park, LLC			
Mailing Address:	132-134 Riverstone Terrace, Suite 103 203			
(City) (County)(State)(Zip Code):	Canton		GA	30114
(Area Code) Telephone Number:	(770) 720-2717			
(Area Code) FAX Number:	NA			
Charter Number:				

If the permittee is the same as the operator, type "Same as Operator".

Permittee Name:	Same as Operator			
Physical or Street Address (if available):				
(City) (County)(State)(Zip Code):				
(Area Code) Telephone Number:				
Charter Number:				

If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.

Agent Name:	National Registered Agents, Inc.			
Mailing Address:	1999 Bryan St. Ste. 900			
(City) (County)(State)(Zip Code):	Dallas	Dallas	TX	75201-3136
(Area Code) Telephone Number:	800-862-5438			
(Area Code) FAX Number:	281-286-5902			

Application Type:

<input type="checkbox"/> Permit	<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Minor Amendment
<input checked="" type="checkbox"/> Registration	<input type="checkbox"/> Modification	<input type="checkbox"/> Temporary Authorization
	<input checked="" type="checkbox"/> w/Public Notice	
	<input type="checkbox"/> w/out Public Notice	<input checked="" type="checkbox"/> Notice of Deficiency Response

¹ The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on this application [Section 361.087 Texas Health and Safety Code].

Facility Classification:

<input type="checkbox"/> Type I	<input type="checkbox"/> Type IV	<input checked="" type="checkbox"/> Type V	<input type="checkbox"/> Type IX
<input type="checkbox"/> Type I AE	<input type="checkbox"/> Type IV AE	<input type="checkbox"/> Type VI	

Activities covered by this application (check all that apply):

<input checked="" type="checkbox"/> Storage	<input checked="" type="checkbox"/> Processing	<input type="checkbox"/> Disposal
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Waste management units covered by this application (check all that apply):

<input type="checkbox"/> Containers	<input type="checkbox"/> Tanks	<input type="checkbox"/> Surface Impoundments	<input type="checkbox"/> Landfills
<input type="checkbox"/> Incinerators	<input type="checkbox"/> Composting	<input type="checkbox"/> Type IV Demonstration Unit	<input type="checkbox"/> Type IX Energy/Material Recovery
<input checked="" type="checkbox"/> Other (Specify)	Transfer Station	<input type="checkbox"/> Other (Specify)	
<input type="checkbox"/> Other (Specify)		<input type="checkbox"/> Other (Specify)	

Is this submittal part of a Consolidated Permit Processing request, in accordance with 30 TAC Chapter 33?

☐ Yes ☒ No

If yes, state the other TCEQ program authorizations requested.

Provide a brief description of the portion of the facility covered by this application. For amendments, modifications, and temporary authorizations, provide a brief description of the exact changes to the permit or registration conditions and supporting documents referenced by the permit or registration. Also, provide an explanation of why the amendment, modification, or temporary authorization is requested.

Registration application for a Type V transfer station that will transfer 125 tons per day or less in accordance with §330.9(b)(3).

Does the application contain confidential Material? ☐ Yes ☒ No

If yes, cross-reference the confidential material *throughout the application* and submit as a separate document or binder conspicuously marked "CONFIDENTIAL."

Alternative Language Notice Instructions

For certain permit applications, public notice in an alternate language is required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, trigger a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, there may not exist any bilingual students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school's obligation to provide such a program as a member of a triggered district.

If it is determined that an alternative language notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic versions of the Spanish template examples are available from the TCEQ to help the applicant complete the publication in the alternative language.

Signature Page

I, Ernest Kaufmann
(Operator)

President and Manager of 130 Environmental Park, LLC
(Title)

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.

Signature: _____

Date: 7-11-14

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, NA, hereby designate NA
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

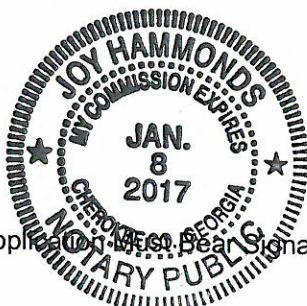
NA
Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said Ernest Kaufmann

On this 11th day of July, 2014

My commission expires on the 8th day of January, 2017



Joy Hammonds
Notary Public, State of Georgia

Cherokee County

(Note: Application Must Bear Signature & Seal of Notary Public)

**130 ENVIRONMENTAL PARK
CALDWELL COUNTY, TEXAS
TCEQ REGISTRATION NO. MSW 40269**

TYPE V REGISTRATION APPLICATION

**PART I
SITE AND APPLICANT INFORMATION**

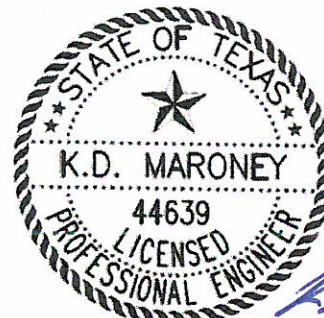
Prepared for

130 ENVIRONMENTAL PARK, LLC

August 2013

Revised February 2014

Revised July 2014



Biggs & Mathews, Inc.
Firm Registration No. F-834

[Handwritten signature]
7/11/14

Prepared by

BIGGS & MATHEWS ENVIRONMENTAL

1700 Robert Road, Suite 100 ♦ Mansfield, Texas 76063 ♦ 817-563-1144

TEXAS BOARD OF PROFESSIONAL ENGINEERS
FIRM REGISTRATION NO. F-256

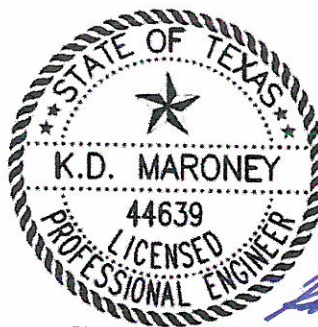
TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS
FIRM REGISTRATION NO. 50222

And

BIGGS & MATHEWS, INC.

2500 Brook Avenue ♦ Wichita Falls, Texas 76301 ♦ 940-766-0156

TEXAS BOARD OF PROFESSIONAL ENGINEERS
FIRM REGISTRATION NO. F-834



Biggs & Mathews, Inc.
Firm Registration No. F-834

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APPENDIX IA – GENERAL LOCATION MAPS

APPENDIX IB – LAND OWNERSHIP MAP AND LAND OWNERS LIST

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APPENDIX IF – DOCUMENTATION OF APPLICATION FEE PAYMENT

1 GENERAL

30 TAC §330.59(a)(1)

130 Environmental Park, LLC intends to register and operate a new municipal solid waste facility in northern Caldwell County east of State Highway 130 (SH130). The 130 Environmental Park includes a Type V municipal solid waste transfer station. The site entrance will be located approximately 1,500 feet north of the intersection of US Highway 183 (US183) and Farm to Market Road 1185 (FM1185), on the east side of SH130. US183 serves as the frontage road for SH130 in the general vicinity of the facility. The proposed facility is intended to provide transfer and recycling of construction and demolition materials for residences and businesses in Caldwell County and surrounding Texas counties. The facility will be designed to protect the health and safety of the people in the region.

It is intended that this registration be processed in accordance with §330.9(b)(3), which allows for a transfer station facility to be registered if the facility will transfer 125 tons per day or less. The proposed transfer station will transfer less than 125 tons per day.

This application has been prepared consistent with 30 TAC Chapter 330 Municipal Solid Waste Management Regulations (MSWMR) adopted by the Texas Commission on Environmental Quality (TCEQ), effective as of the date of this application.

Part I of this registration application contains information about the site and the applicant as required in 30 TAC §§281.5, 305.45, and 330.59. Part II of the registration application describes the existing conditions and character of the facility and surrounding area as required in §330.61. Part III of the registration application presents engineering information, detailed investigative reports, the schematic designs of the facility, and the required plans as required in §330.63. Part IV of the registration application contains the Site Operating Plan, which includes specific information regarding the daily operations of the site, as required in §330.65.

1.1 Site History

The proposed 130 Environmental Park facility boundary will consist of approximately 520 acres ("the site") out of a tract of land consisting of approximately 1,229 acres ("the property") and currently owned by Cathy Moore Hunter. 130 Environmental Park, LLC has entered into an agreement with Cathy Moore Hunter and will purchase the property prior to its development and operation of 130 Environmental Park Transfer Station on the site. Refer to Drawing IA.6 - General Site Plan for the property boundary and facility boundary. The overall property consists of gently undulating grasslands with limited forest cover. The property generally slopes to the south. The major topographic feature of the property is the Soil Conservation Service Site 21 Reservoir on Dry Creek; Dry Creek traverses the property in a northeast to southwest direction, entering Plum Creek approximately five miles south of the property. Plum Creek eventually flows in a southeast direction, entering the San Marcos River about 23 miles downstream from the property. The facility

5 LEGAL AUTHORITY

30 TAC §330.59(e)

The current owner of the site is Cathy Moore Hunter, a natural person.

130 Environmental Park, LLC, the applicant, will own and operate 130 Environmental Park Transfer Station.

Verification of the legal authority and status of 130 Environmental Park, LLC, as required by §330.59(e) and §281.5, is included in Appendix ID – Legal Authority. No other person or entity has over 20 percent ownership of the proposed facility.

130 ENVIRONMENTAL PARK

APPENDIX IE

APPOINTMENTS

**NOTICE OF APPOINTMENT
Engineer's Appointment**

Mr. Richard A. Hyde, P.E.
Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Dear Mr. Hyde:

This is to advise you that officials at 130 Environmental Park, LLC have duly appointed Biggs and Mathews Environmental, Inc., as consulting and designing engineers for the purpose of submitting engineering reports and planning material for a registration application for the 130 Environmental Park, Registration No. MSW 40269.

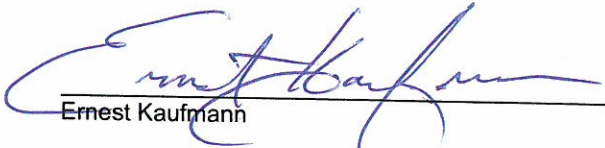
Biggs and Mathews Environmental, Inc., is an engineering firm employing professional engineers in good standing in accordance with State statutes, and the firm has experience in the design and construction of similar facilities. Kerry D. Maroney, P.E., Principal, with Biggs and Mathews Inc., is Engineer of Record for this permit application. He is registered in the state of Texas and has more than 30 years of experience in engineering.

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.

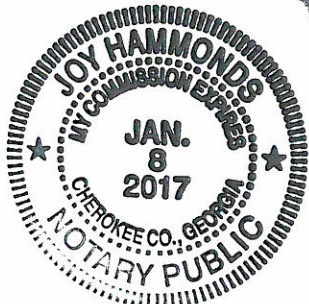
We herewith authorize you to review and comment on such reports, planning material, and data on this proposed project as Biggs and Mathews Environmental, Inc., may submit to you.

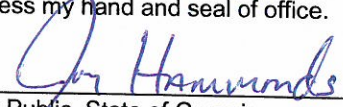
ATTEST:

130 ENVIRONMENTAL PARK, LLC


Ernest Kaufmann
President and Manager of 130 Environmental Park, LLC

SWORN TO AND SUBSCRIBED BEFORE ME by Ernest Kaufmann
on this 11th day of July, 2014, which witness my hand and seal of office.




Notary Public, State of Georgia
Joy Hammonds
Printed Name
My Commission Expires: Jan 8, 2017

**130 ENVIRONMENTAL PARK
CALDWELL COUNTY, TEXAS
TCEQ REGISTRATION NO. MSW 40269**

TYPE V REGISTRATION APPLICATION

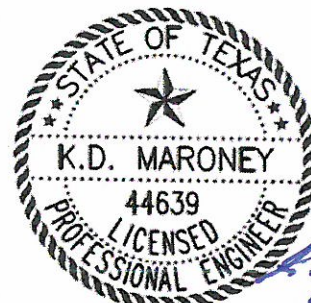
**PART II
EXISTING CONDITIONS AND
CHARACTER OF THE FACILITY AND SURROUNDING AREA**

Prepared for

130 ENVIRONMENTAL PARK, LLC

August 2013
Revised February 2014

Revised July 2014



[Signature]
7/14/14
Biggs & Mathews, Inc.
Firm Registration No. F-834

Prepared by

BIGGS & MATHEWS ENVIRONMENTAL

1700 Robert Road, Suite 100 ♦ Mansfield, Texas 76063 ♦ 817-563-1144

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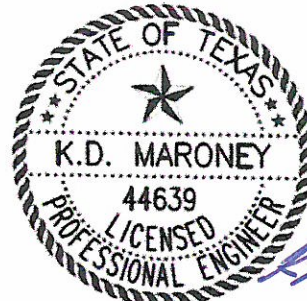
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FIRM REGISTRATION NO. 50222

And

BIGGS & MATHEWS, INC.

2500 Brook Avenue ♦ Wichita Falls, Texas 76301 ♦ 940-766-0156

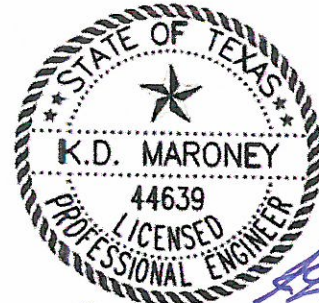
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Firm Registration No. F-834

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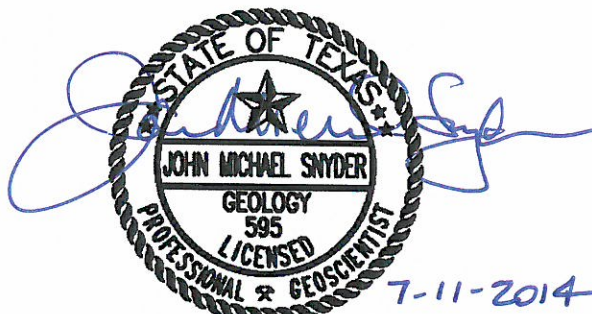
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For Sections 8.1, 10.1, 10.2, 10.3, 11.1, 11.2, 12.1, 12.2 only.

1 EXISTING CONDITIONS SUMMARY

30 TAC §330.61(a)

The 130 Environmental Park includes a proposed Type V municipal solid waste transfer station located in northern Caldwell County east of State Highway 130 (SH130). The 130 Environmental Park site entrance is approximately 1,500 feet north of the intersection of US Highway 183 (US183) and Farm to Market Road 1185 (FM1185), on the east side of SH130. US183 serves as the frontage road for SH130 in the general vicinity of the facility. The proposed facility is intended to provide transfer for subsequent recycling or disposal of construction and demolition materials for residences and businesses in Caldwell County and surrounding Texas counties. The nearest community is the City of Lockhart, the city limit of which is more than two miles south of the proposed facility. The proposed facility location is outside the City of Lockhart city limits and outside its extraterritorial jurisdiction.

The proposed 130 Environmental Park Transfer Station facility boundary will encompass about 520 acres out of the approximately 1,229-acre property boundary. The transfer station facility will be accessed from US183 through an entrance road. A gatehouse and scales will be provided within the facility boundary.

The overall property consists of gently undulating grasslands with limited forest cover. The property generally slopes to the south. The major topographic feature of the property is the Soil Conservation Service Site 21 Reservoir on Dry Creek, which traverses the property in a northeast to southwest direction, entering Plum Creek approximately five miles south of the property. Plum Creek eventually flows in a southeast direction, entering the San Marcos River about 23 miles downstream from the property. The facility boundary is located in the northern portion of the property, northwest of Dry Creek. Portions of the facility boundary along Dry Creek and unnamed tributaries are located within the limits of the 100-year floodplain; however, the entirety of the transfer station, processing and/or storage units, and entrance facilities will be located outside of the 100-year floodplain.

The property has been historically used as ranchland dating back at least to the mid-1930s. No waste disposal activities have occurred on the site and no permitting or construction permit approvals have been applied for or received.

1.1 Easements and Buffer Zones

No solid waste unloading, storage, ~~disposal~~, and processing operations will occur within any easement, buffer zone, or right-of-way that crosses the site. The proposed transfer station is consistent with the provisions of §330.543.

No solid waste disposal shall occur within 25 feet of the center line of any utility line or pipeline easement, but no closer than the easement, unless otherwise authorized by the executive director. All pipeline and utility easements shall be clearly marked with posts