Texas Commission on Environmental Quality

Municipal Solid Waste Landfill Mining Registration Application No.

[Facility Name]

[City], [County] County, Texas

[Initial Application Date]

[Application Revision Date, if applicable]

Prepared for

[Name of Applicant]

Applicant Mailing Address

[Applicant City, State, Zip Code]

Prepared by

[Firm Name]

[TBPE Firm Registration Number]

Firm Mailing Address

[City, State, Zip Code]

How to Use this Form

Use this form to apply for a Type IX registration to operate a landfill mining facility to recover materials for beneficial use from a closed or inactive landfill unit or an active disposal facility. **A test-pit plan** containing the information required by Title 30 Texas Administrative Code (TAC) Chapter 330, 330.63(d)(7)(A) must be submitted to the executive director for review and approval prior to submitting the application for a Type IX landfill mining registration. Select or mark checkboxes for the statements that apply to the application, and attach additional pages as necessary to address any issues or questions. Enter “NA” for any field not applicable to the proposed facility.

For a new registration application, submit an original application and three (3) complete copies prepared in accordance with the registration application requirements prescribed in Chapter 330, Subchapter B, pursuant to 30 TAC 330.5(a)(7).

Who Applies

A facility owner or operator may submit the application in accordance with 30 TAC Chapter 305, [305.43](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=305&rl=43) and [305.44](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=305&rl=44).

Applicable Rules

This form follows requirements for a landfill mining operation specified in Subchapters B, E, and N of 30 TAC Chapter 330; and requirements in 30 TAC 330.149, 330.151, 330.165, and 330.167 relating to operational standards; 330.459 and 330.461 relating to closure; 330.505 relating to cost estimates for closure; and 30 TAC Chapter 37, Subchapter R.

The rules are available online at <[www.tceq.texas.gov/goto/rules/](http://www.tceq.texas.gov/goto/rules/)>.

Test Pit Plan

Submit a Test Pit Plan for review. Prior approval of a test pit plan must be obtained from the executive director before excavation of test pits.

Application Content

**A permit modification is allowed if permittee of an active and operating landfill owns the landfill mining activity.** For the permit modification application, complete Permit/Registration Modification and Temporary Authorization Application Form (TCEQ-20650) for an MSW Facility, Parts III and IV (including attachments) of this form, and skip Parts I and II of this form. Include the following items in a Type IX landfill mining registration application.

1. This completed application form (form TCEQ-20876) prepared in accordance with 30 TAC Subchapter B, consisting of:

* Title Page and Table of Contents, sealed and signed in accordance with 30 TAC 330.57(g)(2) and (3);
* Parts I through IV, including the attachments;
* Applicant certification and property owner affidavit (Sections 1.12 and 1.13 located at end of Part I of this form), signed in accordance with 30 TAC 305.43 and 305.44, and notarized.

1. A TCEQ Core Data Form (form TCEQ-10400) for registrant, and operator if different from registrant, available online at <[www.tceq.texas.gov/goto/coredata](https://www.tceq.texas.gov/goto/coredata)>.

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# General Information

## Facility Information

Facility Information must match regulated entity information on Core Data Form.

Mining Facility

Facility Name:

Physical or Street Address (if available):

MSW Authorization Number (if issued):

Regulated Entity Reference Number (if issued): RN

If RN number has not been issued for the mining facility, complete a Core Data Form (form TCEQ-10400, available online at <www.tceq.texas.gov/goto/coredata>) and submit with this application.

Describe the location of the facility with respect to known or easily identifiable landmarks:

Detail access routes from the nearest United States or state highway to the facility:

Host Landfill

Landfill Name:

Physical or Street Address (if available):

MSW Permit Number or Other Identification Number (if issued):

Regulated Entity Reference Number (if issued): RN

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

Latitude (Degrees, Minutes, Seconds, or Decimal Degrees):

Longitude (Degree, Minutes, Seconds, or Decimal Degrees):

Activities to be Conducted at the Mining Facility

Check all that apply:

Waste Processing  Material Recovery  Material Treatment

Temporary Storage  Other:

## Facility Contact Information

### Applicant

The applicant is the person or other legal entity to whom the Registration would be issued.

Applicant Name:

Customer Reference Number (if issued): CN

If the applicant does not have a CN number, complete a Core Data Form (form TCEQ-10400, available online at <www.tceq.texas.gov/goto/coredata>) and submit it with this application. The applicant name must match the customer name on the applicant Core Data Form.

Contact Person’s Name:       Title:

Mailing Address:

City:       County:       State:       Zip Code:

(Area Code) Telephone Number:       Email Address:

### Site Operator

If the operator is the same as the applicant, indicate “Same as Applicant” in this section.

Site Operator Name:

Customer Reference Number (if issued): CN

If the operator does not have a CN number, complete a Core Data Form (form TCEQ-10400, available online at <www.tceq.texas.gov/goto/coredata>) and submit it with this application. The operator name must match the customer name on the applicant Core Data Form.

Contact Person’s Name:       Title:

Mailing Address:

City:       County:       State:       Zip Code:

(Area Code) Telephone Number:       Email Address:

### Consultant

Firm Name:

Texas Board of Professional Engineers Firm Registration Number:

Contact Person’s Name:       Title:

Texas Board of Professional Engineers License Number (if applicable):

Mailing Address:

City:       County:       State:       Zip Code:

(Area Code) Telephone Number:       Email Address:

## Governmental Entities Information

### Texas Department of Transportation

District:

District Engineer’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### Local Government Authority Responsible for Road Maintenance (if applicable)

Agency Name:

Contact Person’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### City Mayor

Mayor’s Name:

City Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### Council of Governments (COG)

Name of the COG:

COG Representative’s Name, Title:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### River Basin Authority

Name of the River Basin Authority:

Watershed Sub-Basin Name:

Contact Person’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### Coastal Management Program

Is the facility within the Coastal Management Program boundary?

Yes  No

### U.S. Army Corps of Engineers

The facility is located in the following District of the U.S. Army Corps of Engineers:

Albuquerque, NM  Galveston, TX

Ft. Worth, TX  Tulsa, OK

### Local Government Jurisdiction

Within City Limits of:

Within Extraterritorial Jurisdiction of:

Is the facility located in an area in which the governing body of the municipality or county has prohibited the storage, processing or disposal of municipal or industrial solid waste?

Yes  No

If “Yes”, provide a copy of the ordinance or order as an attachment.

### City Health Authority (if applicable)

Agency Name:

Contact Person’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### County Health Authority (if applicable)

Agency Name:

Contact Person’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### County Judge Information

Judge’s Name:

Mailing Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### State Representative

State Representative’s Name, House District Number:

District Office Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

### State Senator

State Senator’s Name, Senate District Number:

District Office Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:       Email Address:

## Posting of Application on Website—30 TAC 330.57(i)

Provide the web address (URL) of the publicly accessible internet website where the application and all revisions will be posted:

## Location of Copy of Application for Public Viewing—30 TAC 39.405(g)

Name of the Public Place:

Physical Address:

City:       County:       State: TX Zip Code:

(Area Code) Telephone Number:

## Notice of Application and Opportunity to Request Public Meeting—30 TAC 330.69(b)

Party responsible for publishing notice:  Applicant (Registrant/Site Operator)  Consultant

Contact Person’s Name:       Title:

Mailing Address:

City:       County:       State:       Zip Code:

(Area Code) Telephone Number:       Email Address:

## Alternative Language Notice—30 TAC 39.405(h)(2)

Is an alternative language notice required for this application?  Yes  No

*Use the Public Notice Verification Form (TCEQ-20244-Waste) to determine if it is required, available at <*[*www.tceq.texas.gov/assets/public/permitting/forms/20244-Waste-NAORPM.pdf*](https://www.tceq.texas.gov/assets/public/permitting/forms/20244-Waste-NAORPM.pdf)*>*

## Application Fee—30 TAC 330.59(h)(1)

Indicate how the application fee was paid:  Check  Online

Attach a photocopy of the check or a copy of the electronic payment receipt. If paid online, provide ePay confirmation number:

## Evidence of Competency—30 TAC 330.59(f)

1. List all Texas solid waste sites that the owner and operator have owned or operated within the last ten years:
2. List all solid waste sites in all other states, territories, or countries in which the owner and operator have a direct financial interest:
3. List the names of the principals and supervisors of the owner’s and operator’s organization, together with previous affiliations with other organizations engaged in solid waste activities:

## Facility Supervisor’s License—30 TAC 330.59(f) and 30 TAC 30.213(a)

The Solid Waste Facility Supervisor will obtain Class A license prior to commencing facility operations.

## Other Permits and Construction Approvals

Complete the following table regarding other permits and construction approvals.

Table I 1. Other permits and construction approvals.

| Other Permit or Approval | Received | Pending | Not Applicable |
| --- | --- | --- | --- |
| Hazardous Waste Management Program under the Texas Solid Waste Disposal Act |  |  |  |
| Underground Injection Control Program under the Texas Injection Well Act |  |  |  |
| National Pollutant Discharge Elimination System Program under the Clean Water Act and Waste Discharge Program under Texas Water Code,  Chapter 26 |  |  |  |
| Prevention of Significant Deterioration Program under the Federal Clean Air Act (FCAA)  Nonattainment Program under the FCAA |  |  |  |
| National Emission Standards for Hazardous Air Pollutants Preconstruction Approval under the FCAA |  |  |  |
| Ocean Dumping Permits under the Marine Protection Research and Sanctuaries Act |  |  |  |
| Dredge or Fill Permits under the CWA |  |  |  |
| Licenses under the Texas Radiation Control Act |  |  |  |

List additional permits or approvals not indicated in the preceding table:

## Applicant Certification and Signature—30 TAC 305.44

The applicant is the person or entity in whose name the registration would be issued. If the application is signed by an authorized representative for the applicant, the applicant must complete the delegation of signature authority.

### Certification by Applicant or Authorized Signatory

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

Name of applicant, or person authorized to sign:

Title of person signing:

Signature:       Date:

#### Notarization

SUBSCRIBED AND SWORN to before me by the said

On this       day of       ,      .

My commission expires on the       day of       ,      .

Notary Public in and for

      County, Texas

### Applicant’s Delegation of Signature Authority [30 TAC 305.43]

I hereby delegate the person named below as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and appear for me at any hearing or before the Commission 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.

Name of applicant’s representative:

Name of person who is the applicant, or officer or official representing corporation or public agency that is the applicant:

Signature:       Date:

#### Notarization

SUBSCRIBED AND SWORN to before me by the said

On this       day of       ,      .

My commission expires on the       day of       ,      .

        
Notary Public in and for

      County, Texas

## Property Owner Affidavit—30 TAC 330.59(d)(2)

This section must be completed by the owner of the property on which facility would be located.

I am the owner of the land on which the proposed facility would be located. I acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure of the facility. I further acknowledge that the facility owner or operator and the State of Texas shall have access to the property during the active life and after closure for the purpose of inspection and maintenance.

Property owner name:

Signature:       Date:

Notarization

SUBSCRIBED AND SWORN to before me by the said

On this       day of       ,      .

My commission expires on the       day of       ,      .

Notary Public in and for

      County, Texas

## Attachments to Part I of the Application—30 TAC 330.59

Table I-2. Required Attachments.

| Attachment | Location |
| --- | --- |
| General Location Maps per 30 TAC 330.59(c)(1) |  |
| Texas Department of Transportation (TxDOT) County Map per 30 TAC 330.59(c)(2) |  |
| Land Ownership Map per 30 TAC 330.59(c)(3)(A) |  |
| Land Ownership List, including Electronic List or Mailing Labels per 30 TAC 330.59(c)(3)(B) |  |
| Facility Legal Description per 30 TAC 330.59(d)(1) |  |
| Property Legal Description per 30 TAC 330.59(d)(1)(A) |  |
| Final Plat Record of Property per 30 TAC 330.59(d)(1)(B) |  |
| Facility Metes and Bounds Description per 30 TAC 330.59(d)(1)(C) |  |
| Metes and Bounds Drawings per 30 TAC 330.59(d)(1)(D) |  |
| Legal Authority (Certificate of Incorporation) per 30 TAC 330.59(e) |  |

Table I-3. Additional Attachments (if applicable).

| Attachment | Location |
| --- | --- |
| TCEQ Core Data Form |  |
| Confidential Documents |  |
| Assumed Name Certificate |  |
|  |  |
|  |  |

# Summary of Existing Conditions, Surrounding Land Use and Impacts, Traffic, and Location Restrictions

## Facility Background Information

A landfill mining facility may be located within or adjacent to a closed disposal facility, an inactive portion of a disposal facility, or an active disposal facility. Complete the items below to provide information that describes the MSW landfill you propose to mine.

### Status of Host Landfill

Landfill is unpermitted and unpermitted Landfill Identification No. is      .

Landfill is permitted and MSW Permit No. is      .

Permit is revoked; former MSW Permit No. was      .

Permit is active.

Landfill unit to be mined is inactive.

Landfill unit to be mined is active.

Landfill unit is in post-closure care.

### MSW Landfill Type and Types of Waste Disposed at the Facility (check all that apply)

Permitted Type I  Household and other MSW wastes

Permitted Type IV  Construction and demolition wastes

Other (describe; landfill mining applies to excavation of buried MSW only)

### Type of Liner System Underlying the Landfill (check all that apply)

Compacted clay and geomembrane

Compacted clay only

In-situ clay

Unlined

Other (describe):

If the landfill is lined, describe the liner systems:

### Leachate Collection System

The landfill includes a leachate collection system

Yes  No  Unknown

If yes, describe the leachate collection systems:

### Additional Information

Landfill Age:       Years

Duration of Landfill Operation:       Years

Approximate date of closure for the landfill unit(s) to be mined:

## Impact on Surrounding Area—30 TAC 330.61(h)

This section addresses the facility’s impacts on cities, communities, groups of property owners, or individuals.

1. Provide information regarding the likely impacts of the facility on cities, communities, groups of property owners, or individuals:
2. Describe the character of the surrounding area land uses within one mile of the facility:
3. Identify growth trends within five miles of the facility with directions of major development:
4. Describe proximity of the facility to land uses within one mile of the facility:

Number of residences:

Indicate the distance to the nearest residence(s):        feet  miles

Provide directions of the nearest residence(s):

Number of Commercial establishments:

Indicate the distance to the nearest commercial establishment(s):        feet  miles

Provide directions of the nearest commercial establishment(s):

Number of schools:

Number of churches:

Number of cemeteries:

Number of historic structures and sites:

Number of archaeologically significant sites:

Number of sites having exceptional aesthetic quality:

## Transportation—30 TAC 330.61(i)

### Access Roads

Complete the following table regarding the roads that will be used to access the site.

Table II-1. Roads That Will be Used to Access the Site.

| Name of Road | Surface Type and Number of Lanes |
| --- | --- |
|  |  |
|  |  |
|  |  |

### Daily Traffic Volume

Complete the following table regarding existing and expected volume of vehicular traffic on access roads within one mile of the facility, and the projected volume of traffic expected to be generated by the facility on access roads within one mile of the facility.

Table -2. Traffic Volume.

| Vehicle Traffic | Volume (vehicles per day) |
| --- | --- |
| Existing Vehicle Traffic |  |
| Expected Vehicle Traffic |  |
| Projected Vehicle Traffic Generated by the Facility |  |

1. Describe the source or method used to obtain the volumes:
2. If traffic volume was determined by counts in the field, indicate the locations where the counts were conducted:
3. Has a response from the Texas Department of Transportation (TxDOT) for the coordination regarding traffic and location restrictions been received?

Yes  No

If “Yes”, include a copy of the response in the attachment. If “No”, obtain a response.

### Airport Safety:

1. Provide analysis for the impact of the facility upon airports per 30 TAC 330.61(i)(5):
2. Has a response from the Federal Aviation Administration (FAA) for the coordination regarding traffic and location restrictions been received?

Yes  No

If “Yes”, include a copy of the response in the attachment. If “No”, obtain a response.

## General Geology and Soils Statement—30 TAC 330.61(j)

Discuss in general terms the geology and soils of the site:

## Groundwater and Surface Water—30 TAC 330.61(k)

1. Provide data about the site-specific groundwater conditions at and near the site:
2. Provide data on surface water at and near the site:
3. Describe how the facility will comply with applicable rule requirements of Texas Pollutant Discharge Elimination System (TPDES) and the Clean Water Act, 402, as amended:

## Abandoned Oil and Water Wells—30 TAC 330.61(l)

1. Discuss the location of any and all existing or abandoned water wells:
2. Within 30 days prior to construction of the facility, all abandoned water wells will be capped, plugged, and closed per all applicable rules and regulations of the commission or other state agency.
3. Discuss the location of any and all existing or abandoned crude oil or natural gas wells, or other wells associated with mineral recovery situated within the facility:
4. On-site crude oil or natural gas wells:

On-site crude oil or natural gas wells or other wells associated with mineral recovery that are under the jurisdiction of the Railroad Commission of Texas have been properly capped, plugged, and closed in accordance with all applicable rules and regulations of the Railroad Commission of Texas at the time of application.

## Floodplain and Wetlands—30 TAC 330.61(m)

### Floodplain

Will the facility be located within a 100-year floodplain?

Yes  No

Identify the floodplain zone:

Attach a copy of the Federal Emergency Management Agency (FEMA) flood map for the area. If the facility will be within a 100-year floodplain, attach documentation demonstrating that the facility is designed and will be operated in a manner to prevent washout of waste during a 100-year storm event, or that the facility has obtained a conditional letter of map revision from FEMA.

### Wetlands

Will the facility be located in wetlands?

Yes  No

If “Yes”, attach documentation to the extent required under Clean Water Act, 404 or applicable state wetlands laws.

## Texas Historical Commission (THC) Review—30 TAC 330.61(o)

Has the Texas Historical Commission provided a review letter documenting compliance with the Natural Resources Code, Chapter 191, Texas Antiquities Code?

Yes  No

If “Yes”, include a copy of the response in the attachment. If “No”, obtain a response.

## Council of Governments and Local Government Review—30 TAC 330.61(p)

Were Parts I and II of the application submitted for review to the applicable council of governments (COG) for compliance with regional solid waste plans?

Yes  No

If “No”, submit Parts I and II of the application including all associated attachments to the applicable COG.

## Endangered or Threatened Species—30 TAC 330.61(n)

Will the facility and the operation of the facility result in the destruction or adverse modification of the critical habitat of endangered or threatened species, or cause or contribute to the taking of any endangered or threatened species?

Yes  No

If yes, provide mitigation measures:

## Attachments to Part II of the Application—30 TAC 330.61

Table II-3. Required Attachments.

| Attachment | Location |
| --- | --- |
| General Location Maps per 30 TAC 330.61(c) |  |
| Facility Layout Maps per 30 TAC 330.61(d) |  |
| General Topographic Map per 30 TAC 330.61(e) |  |
| Aerial Photograph per 30 TAC 330.61(f) |  |
| Land Use Map per 30 TAC 330.61(g) |  |
| Published Zoning Map per 30 TAC 330.61(h)(1) |  |
| Floodplains and Wetland Documentation per 30 TAC 330.61(m) |  |
| Copies of Coordination Letters and responses from Texas Department of Transportation (TxDOT), Federal Air Administration (FAA), Texas Historical Commission (THC) and Council of Government and Local Governments, etc. |  |

Table I-4. Additional Attachments, if applicable.

| Attachment | Location |
| --- | --- |
|  |  |
|  |  |

# Site Development Plan

## General Facility Design—30 TAC 330.63(b)

### Facility Access Control Measures

Describe how access will be controlled for the facility to discourage unauthorized entry or uncontrolled disposal of solid waste or hazardous materials:

### Waste Movement

* Provide flow diagrams indicating the storage, processing, and disposal sequences for the various types of wastes and recovered materials. Indicate Attachment no.      .
* Provide schematic view drawings showing the various phases of collection, separation, processing, and disposal of excavated waste. Indicate Attachment no.      .
* Provide generalized construction details of all storage and processing units and ancillary equipment. Indicate Attachment no.      .

Ensure to indicate approximate dimensions and capacities, construction materials, vents, covers, enclosures, and protective coatings of surfaces, as applicable.

* Provide engineering design details of all containment dikes or walls proposed to enclose all storage and processing components and loading and unloading areas. Indicate Attachment no.      .
* Describe ventilation and odor control measures for each storage, separation, and processing unit
* Describe plans for on-site storage of materials, including maximum duration of on-site storage of separated materials
* Provide the maximum period of time that the unprocessed waste, processed waste, and separated recyclable materials are to remain on site:
* Provide for ultimate disposition of stored materials and process effluents:
* Describe plans for disposition of all stored materials and effluent resulting from all processing operations:

List of each waste management unit in table below. Include attachments documenting specifications and performance data, as necessary.

Table -. Manufacturer Specifications for Waste Management Units.

| Unit Type | Maximum  Number of Units | Approximate Dimensions | Approximate Capacity per Unit |
| --- | --- | --- | --- |
| Process Tank(s) |  |  |  |
| Tipping Floor |  |  |  |
| Container(s) |  |  |  |
| Roll-off Boxes |  |  |  |
| Leachate Tank(s) |  |  |  |
| Processing Units |  |  |  |
| Storage Tank(s) |  |  |  |
| Storage Area |  |  |  |
| Other (Specify) |  |  |  |

### Sanitation/ Water Pollution Control

Describe how storage and processing areas will be designed to control and contain spills and prevent contaminated water from leaving the facility. For unenclosed containment areas, account for precipitation from a 25-year, 24-hour storm event:

### Endangered Species Protection

Describe how the facility will be designed to protect endangered species:

## Facility Surface Water Drainage Report Statement—30 TAC 330.63(c)

Surface water drainage statement:

The facility will be constructed, maintained, and operated to manage run-on and runoff during the peak discharge of a 25-year rainfall event and must prevent the off-site discharge of waste and feedstock material, including, but not limited to, in-process and/or processed materials. Surface water drainage in and around the facility will be controlled to minimize surface water running onto, into, and off the treatment area as required under 30 TAC 330.303 (relating to Surface Water Drainage for Municipal Solid Waste Facilities).

## Waste Management Unit Design

### Test Pit Evaluation Report [30 TAC 330.63(d)(7)(A)]

Was a test pit evaluation report submitted and approved?

Yes  No

If “No”, include a test pit evaluation report as an attachment to this application.

If “Yes”, ensure that the following are addressed in the report.

1. The location and depth of test pit excavations.
2. Description of the characteristics of waste:

A description of the characteristics of waste observed in test pits excavated on the site, including the percentage by weight of paper, plastic, ferrous metal, other metal, glass, soil fractions, and other constituents.

1. A Toxicity Characteristic Leaching Procedure (TCLP) analysis of each representative type of waste excavated.
2. Analysis for asbestos, polychlorinated biphenyls (PCBs), and hazardous waste constituents for waste excavated from each test pit.
3. Number and size of test pits as approved in the test pit plan.
4. A description of how the test pits were backfilled, the type of clay soil used in the backfilling, and the height of the backfill relative to the existing surrounding grade.
5. A cross-section drawing using the information from the test pits to depict the top and bottom elevations of the landfill.
6. A plan view map depicting the location and extent (vertical and lateral) of the waste unit and proposed extent of mining/recovery operations.
7. The type of liner underlying the waste.
8. Historical records of landfill:

Correlation of historical records of landfill and results from the test pit excavation regarding presence of hazardous waste, special waste, construction and demolition waste, liners, leachate collection systems, gas collection systems, disposal location of each waste type, disposal methods, etc.

1. Description of how all waste removed from the test pit excavation was disposed in a permitted landfill.

### Process Descriptions [30 TAC 330.63(d)(7)(B)]

1. Provide a narrative for the process diagram that depicts the general process:
2. List the materials intended for processing and recovery:
3. Anticipated volume of waste to be processed:
4. An estimate of the daily quantity of material to be processed:
5. Describe the process of screening hazardous materials:
6. Describe the process to recover reusable or recyclable material:
7. Describe any water addition and how the process water will be handled and disposed of, if a wet mining process is to be used:
8. Describe processing rates:
9. Provide mass balance calculations:
10. Provide a complete narrative on product distribution, including disposition of materials, proposed use of soils onsite and off-site:
11. Describe management of leachate to ensure proper disposal in an authorized facility:

### Design Criteria [30 TAC 330.609]

1. Groundwater Protection

Liners shall be installed and maintained where receiving, processing, post-processing, screening, and storage areas would be in contact with the ground or in areas where leachate, contaminated materials, contaminated products, or contaminated water is stored or retained.

Describe the liner systems to be installed and maintained for excavated waste storage, processing, and screening areas as required by 30 TAC 330.609(1)(A) or (B):

Describe the proposed liner cover material designed to withstand normal traffic from the processing operations:

The attached Liner Quality Control Plan addresses the following:

A demonstration per 30 TAC 330.337(b)(1) through (4):

A demonstration that the constructed liner system will not undergo uplift from hydrostatic forces during its construction or operational life and that any existing liner system will not undergo uplift from hydrostatic forces during mining operations.

Provision for submission of liner construction certifications as required by 30 TAC 330.341.

Protection of existing systems on landfills:

If leachate collection systems, liners, or gas collection systems exist, care will be taken to not destroy or disrupt these systems if it is planned to retain these features on-site, and these systems must remain operational until they are removed.

1. Excavation of Buried Waste

Describe the methods of excavating the buried waste materials:

The methods of excavation must include how the material will be handled, how long it will remain in the area, what equipment will be used, how the material will be moved from the excavation area, how the excavation area will be held to a minimum, the maximum side slopes in buried waste, the maximum excavation area at any one time, and the sequence of excavation. Also, as required by 30 TAC 330.609(3), ensure that the side slopes of excavations shall be no steeper than 34 degrees.

1. Detention of Waste at the Facility

Describe how the facility design ensures rapid processing and minimum detention of waste at the facility:

1. Prevention of Nuisances

Provide design features for the waste storage units that will prevent the creation of nuisances or public health hazards due to odors, fly breeding, or harborage of other vectors:

1. Control of Air Pollution

Address the following requirements to determine whether the facility is entitled to an air quality standard permit:

Will all permanent on-site roads be watered, treated with dust-suppressant chemicals, or paved and cleaned as necessary to achieve maximum control of dust emissions?  
 Yes  No

Will vehicular speeds on non-paved roads be no more than ten miles per hour?  
 Yes  No

Will leachate and gas condensate be managed so that they will not be used as dust-suppressant?  
 Yes  No

Does the facility have adequate means of preventing nuisance odors from leaving the facility boundaries, prior to processing any material with a high odor potential?  
 Yes  No

Does the facility design and operation require that all materials be conveyed mechanically, or if conveyed pneumatically, the conveying air shall be vented to the atmosphere through a fabric filter(s) having a maximum filtering velocity of 4.0 feet/minute with mechanical cleaning or 7.0 feet/minute with air cleaning?  
 Yes  No

Except for initial start-up and shut-down, will all processing equipment not enclosed inside a building be equipped with low-velocity fog nozzles spaced to create a continuous fog curtain or the operator have portable watering equipment available during the processing operation?  
 Yes  No

Will all conveyors that off-load materials from processing equipment at a point that is not enclosed inside a building have available a water or mechanical dust suppression system; and will these controls be utilized as necessary for maximum control of dust when stockpiling material?  
 Yes  No

Will all activities that could result in increased odor emissions be conducted in a manner that does not create nuisance conditions or only be conducted inside a building maintained under negative pressure and controlled with a chemical oxidation scrubbing system or bio filter system?  
 Yes  No

Will excavated waste material transported from the landfill facility be transported in covered trucks to minimize the loss of material?  
 Yes  No

If you answered **“Yes”** to all the requirements above, the facility qualifies for a standard air quality permit. Please contact the air permits division accordingly.

If you answered **“No”** to any of the above requirements, please contact the air permits division to apply and obtain appropriate air quality authorization under 30 TAC Chapter 116.

**Air Quality Authorization:** Provide a copy of the appropriate **air quality authorization** in the application. State Attachment no.      .

## Sampling, Analysis and Reporting Requirements for Final Soil Product—30 TAC 330.611 and 330.613

### Sampling and Analysis Plan

1. Analytical Methods

Check for the test methods proposed for the final soil products at the facility:

Chemical and physical analysis will utilize "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods" (SW-846); or

"Methods for Chemical Analysis of Water and Wastes" (EPA-600).

Analysis of pathogens will utilize "Standard Methods for the Examination of Water and Wastewater" (Water Pollution Control Federation, 1995).

Analysis for salinity and pH:

Analysis for salinity and pH will utilize North Central Regional (NCR) Method 14 for Saturated Media Extract Method contained in "Recommended Test Procedure for Greenhouse Growth Media" NCR Publication Number 221 (Revised), Recommended Chemical Soil Test Procedures, Bulletin Number 49 (Revised), October 1988, pages 34-37.

Analysis for total, fixed, and volatile solids:

Analysis for total, fixed, and volatile solids will utilize Method 2540 G (Total, Fixed, and Volatile Solids in Solid and Semi-solid Samples) as described in "Standard Methods for the Examination of Water and Wastewater" (Water Pollution Control Federation, 1995).

1. Sample Collection

Sampling Plan:

Sampling plan that describes the plan and procedures proposed for collection, preservation, and analysis of samples to assure valid and representative results consistent with current standards of the NELAC Institute is enclosed. The sampling plan is included in the Attachment      .

1. Documentation

The following record will be maintained regarding the facility’s activities or operation for three years after the final product is shipped off-site or upon facility closure:

batch numbers identifying the final product sampling batch;

the quantities, types, and sources of materials processed, and the dates processed;

the quantity and final product grade designation, as described in 30 TAC 330.615 (relating to Final Soil Product Grades and Allowable Uses);

the date of sampling; and

all analytical data used to characterize the final product, including laboratory quality assurance/quality control data.

The following records will be maintained on-site permanently or until facility closure:

sampling plan and procedures;

training and certification records of staff; and

final soil product test results.

The records will be available for inspection by executive director representatives during normal business hours. The executive director may at any time request by registered or certified mail that a soil generator submit copies of all documentation listed in paragraph (1) of 30 TAC 330.613 for auditing the final soil product grade. Documentation requested under this section will be submitted within ten working days of receipt of the request.

1. Sampling Frequencies

Final soil product:

All final soil product will be sampled and assigned a final product grade set forth in 30 TAC 330.615 at a minimum rate of one sample for every 5,000 cubic yard batch of final soil product or annually, whichever is more frequent. Each sample will be a composite of nine grab samples as discussed in 30 TAC 330.613(f) for sampling from stockpiles or from conveyor belts utilizing the protocol specified in the current standards of the NELAC institute.

1. Sampling Requirements

Sampling from stockpiles:

One-third of the grab samples shall be taken from the base of the stockpile (at least 12 inches into the pile at ground level), one-third from the exposed surface, and one-third from a depth of two feet from the exposed surface of the stockpile.

Sampling from conveyors:

Sampling times will be selected randomly at frequencies that provide the same number of subsamples per volume of mined soil product as specified in Subsection 3 above. Sampling may be done with the belt stopped at the time of sample collection or samples may be taken as the material falls from the end of a (moving) conveyor.

In cases where the belt is stopped, sampling shall be done along the entire width and depth of the belt. For cases where samples are taken as the material falls from the end of a moving conveyor, free-falling samples need to be taken to minimize the bias created as larger particles segregate or heavier particles sink to the bottom as the belt moves. In order to minimize sampling bias, the sample container shall be moved in the shape of a "D" under the falling product to be sampled. The flat portion of the "D" shall be perpendicular to the beltline. The circular portion of the "D" shall be accomplished to return the sampling container to the starting point in a manner so that no product to be sampled is included.

1. Analytical Requirements

Final product sampling and analysis:

The final product will be sampled and analyzed for the following parameters. The executive director may at any time request that additional parameters be tested. These parameters are:

1. a. total metals, to include: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc;
2. b. weight percent of foreign matter, dry weight basis;
3. c. pH by the saturated media extract method;
4. d. salinity by the saturated media extract electrical conductivity method;
5. e. pathogens: salmonella, and fecal coliform;
6. f. polychlorinated-biphenyls; and
7. g. asbestos.
8. Data Precision and Accuracy

Analytical data quality will be established per the current standards of the NELAC Institute.

### Reporting

1. Annual reports:

Annual written reports will be submitted. These reports will include minimum of input and output quantities, a description of the soil end-product distribution, and all results of any required laboratory testing. A copy of the annual report will be kept on-site for a period of five years.

1. Quarterly reports:

Quarterly reports of final soil product testing for each sampling batch of final soil product will be submitted to the executive director within two months after each quarterly event in compliance with 30 TAC 330.613(i). Reports will include, but may not be limited to, all the following information:

1. batch numbers identifying the final soil product sampling batch;
2. the quantities and types of waste materials processed, and the dates processed;
3. the quantity of final soil product;
4. the final soil product grade or permit number of the disposal facility receiving the final product if it is not Grade 1 or Grade 2 as established in 30 TAC 330.615 of this title;
5. all analytical results used to characterize the final soil product, including laboratory quality assurance/quality control data and chain-of-custody documentation; and
6. the date of sampling.

Sampling and analysis of the final product will be performed as described below to determine the product’s grades. Testing of final product and interpretation of results shall be conducted in accordance with the current standards of the NELAC Institute.

## Final Soil Product Grades and Allowable Uses—30 TAC 330.615

From the results of the testing, the final soil product will be classified as described below.

### Grade 1 Soil

The final product shall meet all the following criteria:

1. Contains no foreign matter of a size or shape that can cause human or animal injury;
2. Does not exceed any Maximum Allowable Concentrations of the metal and PCBs for Grade 1 Soil, listed in Table 1 (Maximum Allowable Concentrations) of 30 TAC 330.615;
3. Does not contain foreign matter in quantities that cumulatively are greater than 1.5% dry weight on a four-millimeter screen;
4. Meets the requirements for pathogen reduction for Grade 1 Soil as described in Table 2 (Additional Final Product Standards) of 30 TAC 330.615; and
5. Meets the requirements for salinity and pH for Grade 1 Soil as described in Table 2 (Additional Final Product Standards) of 30 TAC 330.615.

**Grade 1 Soil Use Limitation:** There will not be restrictions on the use of Grade 1 Soil.

### Grade 2 Soil

The final product shall meet all the following criteria:

1. shall contain no foreign matter of a size or shape that can cause human or animal injury;
2. shall not exceed all Maximum Allowable Concentrations for Grade 2 Soil in Table 1 (Maximum Allowable Concentrations) of 30 TAC 330.615;
3. shall not contain foreign matter in quantities that cumulatively are greater than 1.5% dry weight on a four-millimeter screen;
4. shall meet the requirements for pathogen reduction for Grade 2 Soil as described in Table 2 (Additional Final Product Standards) of 30 TAC 330.615; and
5. shall meet the requirements for salinity and pH for Grade 2 Soil as described in Table 2 (Additional Final Product Standards) of 30 TAC 330.615.

**Limitations on the Uses for Grade 2 Soils:** Grade 2 soils shall not be used at a residence, recreational area, or licensed child-care facility, or for food chain crops.

### Waste Grade Soil

The final soil product shall be considered Waste Grade Soil, if the soil:

1. exceeds any one of the Maximum Allowable Concentrations for Grade 2 final products in Table 1 (Maximum Allowable Concentrations) of 30 TAC 330.615; and
2. does not meet the other requirements of Grade 1 or Grade 2 Soils.

**Limitations on the Use of Waste Grade Soil:** Waste grade soil shall be appropriately disposed at a permitted municipal solid waste facility.

## Closure Plan

### Closure Requirements [30 TAC 330.459]

Waste, waste residues, and recovered materials:

All waste, waste residues, and any recovered materials will be removed from the site prior to the closure of the facility. All material on-site (feedstock, in process, and processed) will be evacuated to an authorized facility and all leachate handling units, tipping areas, processing areas, and post-processing areas will be decontaminated.

### Certification of Final Facility Closure [30 TAC 330.461]

Notice to the public and executive director:

Notice will be provided for final facility closure to the public and executive director no later than 90 days prior to initiating final closure in accordance with 30 TAC 330.461(a). Signs and barriers will be installed upon notification of final closure to the executive director. Certification of closure (signed by an independent licensed professional engineer), and a request for voluntary revocation of facility registration will be provided within 10 days after completion of final closure of the facility.

### Closure Cost Estimate [30 TAC 330.505]

Provide itemized closure cost estimates in the following Closure Cost Estimates Worksheet. The cost estimates must meet the requirements indicated in 30 TAC 330.459, 330.461, and 330.505. Attach documents detailing any additional unit closure costs not itemized. Enter the total of those additional unit closure costs on line 13 of the closure cost worksheet in the following Closure Cost Estimates Worksheet.

Table -. Closure Cost Estimates Worksheet.

| Item No. | Item Description | Unit of Measure­ment | Quantity | Unit Cost | Total Cost |
| --- | --- | --- | --- | --- | --- |
| 1 | Site Evaluation and Engineering Review | NA |  |  |  |
| 2 | Bid Document and Procurement | NA |  |  |  |
| 3 | Contract Award and Administration | NA |  |  |  |
| 4 | Clean-Up, Removal and Transport of Waste Stored On-Site | NA |  |  |  |
| 5 | Disposal of Waste at an Authorized Facility |  |  |  |  |
| 6 | Waste Treatment |  |  |  |  |
| 7 | Process Units Dismantling | NA |  |  |  |
| 8 | Wash Down and Disinfection of Facility and Processing Units | NA |  |  |  |
| 9 | Vector Control | NA |  |  |  |
| 10 | Site Security | NA |  |  |  |
| 11 | Signs, Newspaper Notice and TCEQ Notice | NA |  |  |  |
| 12 | Facility Inspection and Closure Certification by Licensed Engineer | NA |  |  |  |
| 13 | Additional Storage and Processing Unit Closure Cost Items (describe in attachments) | Identify Attachments | NA | NA |  |
| 14 | Storage and Processing Unit Closure Costs Subtotal | NA | NA | NA |  |
| 15 | Contingency Cost | NA | NA | NA |  |
| 16 | Total Closure Cost Estimate | NA | NA | NA |  |

### Financial Assurance

Financial assurance as required by 30 TAC Chapter 37 Subchapter R:

The registrant will provide financial assurance as required by 30 TAC Chapter 37 Subchapter R prior to execution of the activities at the facility. An increase in the closure cost estimate and the amount of financial assurance will be provided if changes to the facility conditions increase the maximum cost of closure at any time during the active life of the facility.

## Buffer Zones and Easement Protection—30 TAC 330.543

Is the buffer zone in any location at the facility less than 50 feet wide?

Yes  No

If yes, describe your alternative buffer zone and how it will allow access for emergency response and maintenance:

## Attachments to Part III of the Application

Table III-3. Required Attachments.

| Attachment | Location |
| --- | --- |
| Test Pit Evaluation Report per 30 TAC 330.63(d)(7)(A) |  |
| Flow Diagram indicating storage, processing, and disposal sequences for waste and other materials per 30 TAC 330.63(b)(2)(A) |  |
| Schematic view drawings showing phases of collection, separation, processing, and disposal for the wastes managed per 30 TAC 330.63(b)(2)(B) |  |
| Proposed ventilation and odor control measures for each storage, separation, processing, and disposal unit per 30 TAC 330.63(b)(2)(C) |  |
| Generalized construction details of slab and subsurface supports of all storage and processing components per 30 TAC 330.63(b)(2)(D) |  |
| Generalized construction details of all storage and processing units and ancillary equipment per 30 TAC 330.63(b)(2)(E) |  |
| Locations and engineering design details of all containment dikes or walls proposed to enclose all storage and processing components and all loading and unloading areas per 30 TAC 330.63(b)(2)(a)(F) |  |
| Process Diagram per 30 TAC 330.63(d)(7)(B)(vi) |  |
| Liner Systems Design per 30 TAC 330.609(1) |  |
| Liner Quality Control Plan per 30 TAC 330.339 |  |
| Demonstration for hydrostatic forces per 30 TAC 330.337(b) |  |
| Air Quality Requirements per 30 TAC 330.607 [Note: It is recommended to contact Air Permits Division of the TCEQ to address this.] |  |
| Sampling and Analysis Plan for Final Soil Product per 30 TAC 330.613 |  |
| Manufacturer Specifications for Waste Processing/ Management Units per 30 TAC 330.63(b)(2)(D) |  |
| Additional Storage and Processing Unit Closure Cost Items per 30 TAC 330.505 |  |

Table III-4. Additional attachments, if applicable.

| Attachment | Location |
| --- | --- |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

# Site Operating Plan

## Operational Requirements—30 TAC 330.609

1. Describe how the recovery process will be operated to preclude the entry of hazardous constituents:
2. Specify arrangements for disposal of resulting wastes to prevent waste disposal at an unauthorized facility:
3. Describe how the existing leachate collection systems, liners, and monitoring systems will be protected to avoid them being destroyed or disrupted by the landfill mining activities and operations:
4. Certified operator:

The facility will employ at least one agency-certified landfill operator who will routinely be available on-site during the hours of operation.

1. Health and safety coordinator:

The facility will employ at least one health and safety coordinator on a full-time basis to be on-site at least 70% of the time during excavation and waste processing. The health and safety coordinator shall be trained in hazardous waste and emergency response operations.

1. Covered trucks will be used for transporting excavated material offsite.
2. A Health and Safety Plan for conducting the facility operations is provided. The plan is in the Attachment no.      .
3. Facility personnel will be trained for the facility’s health and safety plan.
4. Specify personal protection equipment to be located and used at the site and their operational characteristics:
5. Changes to the approved processing method or other significant changes to the approved registration application will require prior written authorization from the TCEQ.

## Facility-Generated Waste—30 TAC 330.205 and 330.207

1. Describe the final disposition or uses for the waste and other materials generated at the facility:
2. Describe how contaminated water and leachate generated at the facility will be collected, contained, managed and disposed in a manner that will not cause surface water or groundwater pollution:
3. Liner systems:

Collection units other than storage tanks shall have a clay or synthetic liner and the liner shall be constructed in accordance with 30 TAC 330.331(b) (relating to Design Criteria). One foot of freeboard for the 25-year, 24-hour rainfall event shall be provided.

1. Contaminated water will not be discharged without specific written authorization from the TCEQ.
2. The use of leachate and gas condensate in any mining process is prohibited.

## Storage Requirements—30 TAC 330.209

1. Describe how excavated, processed, and unprocessed waste, and other materials will be stored, contained or bundled at the facility:
2. Describe how control of odors, vectors, and windblown waste will be maintained in the storage areas:

## Access Control—30 TAC 330.223

1. Describes the means for controlling public access to the facility to prevent uncontrolled access and ensure protection of human health and safety and the environment:
2. If access control is provided by means of a perimeter fence, with lockable gates, identify the type of fence that will be installed at the facility:

A four-foot-high barbed wire fence;

A six-foot-high chain-link fence; or

Other (describe):

1. The facility access road:

The facility access road from a publicly owned roadway will be at least a two-lane gravel or paved road, designed for the expected traffic flow with adequate turning radii according to the vehicles that will utilize the facility, and avoid disruption of normal traffic patterns.

1. Vehicle parking will be provided at the facility for equipment, employees, and visitors.
2. Safety bumpers at hoppers will be provided for vehicles.
3. Describe how access roads and parking areas will be maintained to control dust and prevent mud from being tracked off-site:

## Spill Prevention and Control—30 TAC 330.227

1. Describe how the storage and processing areas will be designed to control and contain spills and contaminated water from leaving the facility:
2. Provide calculations to show that the containment design will control and contain a worst-case spill or release. For unenclosed containment areas, account for precipitation from a 25-year, 24-hour storm:

## Operating Hours—30 TAC 330.229]

Provide the operating hours for operating heavy equipment and transporting materials on- or off-site of the facility; include justification for hours outside of 5:00 a.m. to 9:00 p.m., Monday through Friday:

List the alternative operating hours, if any, of up to five days in a calendar-year period:

## Facility Sign—30 TAC 330.231

A sign will be conspicuously displayed at all entrances to the facility.

The sign will measure at least four feet by four feet with letters at least three inches in height and will include the following information:

Facility name:

Type of facility:

Hours and days of operation:

Registration number:

Facility rules:

## Control of Windblown Material and Litter—30 TAC 330.233

1. Windblown material and litter will be collected as necessary, at least once per day, on days that the facility is in operation, to minimize unhealthy, unsafe, or unsightly conditions.
2. Litter scattered throughout the facility, along fences and access roads, and at the gate will be picked up once a day on the days the facility is in operation and properly managed.
3. Wire or other type fencing or screening will be provided when necessary to minimize windblown materials.

## Facility Access Roads—30 TAC 330.237

1. Describe how the tracking of mud and debris onto public roadways from the facility will be minimized:
2. Describe how dust from on-site and other access roadways will be controlled to prevent it from becoming a nuisance to surrounding areas:
3. Identify the means of dust control (water source or other specific other) to be provided at the facility:
4. On-site and other access roadways:

All-weather roads will be provided within the facility to the loading/ unloading area(s) designated for wet-weather operation. All on-site and other access roadways will be maintained on a regular basis. Access roadways will be re-graded as necessary to minimize depressions, ruts, and potholes.

## Odor Management Plan—30 TAC 330.149

1. Identify potential sources of odors at the facility:
2. Identify wastes that require special attention regarding odors:
3. Provide general instructions for control of odors at the facility:

## Disease Vector Control—30 TAC 330.151

1. Specify the general methods for control of on-site populations of disease vectors at the facility:
2. State specific minimum frequencies for conducting disease vector control operations:

## Ponded Water—30 TAC 330.167

1. Describe techniques to be used at the facility to prevent ponding of water over waste:
2. Describe corrective actions to remove or methods to be used to eliminate ponded water that occurs in any portion of the facility:
3. Specify an inspection schedule for facility personnel to follow in inspecting the site to identify potential ponding sites or locations at the facility:
4. Water that has come into contact with waste shall be managed as described in Attachment no.      .

## Employee Sanitation Facilities—30 TAC 330.249

Potable water in the form of       will be provided at the site for all visitors and employees.

Sanitary facilities will be provided at the site for all employees and visitors.

## Attachments to Part IV of the Application

Table IV-1. Required Attachments.

| Attachment | Location |
| --- | --- |
| Contaminated Water Management per 30 TAC 330.207 |  |
| Recordkeeping and Reporting per 30 TAC 330.219 |  |
| Fire Protection per 30 TAC 330.221 |  |
| Ventilation and Air Pollution Control per 30 TAC 330.245 [Note: Contact Air Permits Division of the TCEQ to address this.] |  |
| Health and Safety Plan per 30 TAC 330.609(10) and 330.247 |  |
| Landfill Cover per 30 TAC 330.165 |  |

Table IV-2. Additional Attachments (if applicable).

| Attachment | Location |
| --- | --- |
|  |  |
|  |  |

Instructions

Where to Submit the Application and Get Help

Submit the original and three copies of the application to the Municipal Solid Waste Permits Section MC‑124, TCEQ, PO Box 13087, Austin, TX 78711-3087.

If you have any questions about this form or about operating a landfill mining facility to recover material for beneficial use, please contact us at (512) 239-2335.

Engineer Seal and Firm Number

Include the seal, with signature and date of the engineer preparing the application; and the firm number of the engineer’s company on the title page, table of contents, and other parts of the application as required by 30 TAC 330.57(f)(1).

Certification and Signatures

The application must be signed and notarized, as required by 30 TAC 281.5. Signature blocks for the applicant, authorized signatory, and property owner must bear the signature and seal of a Notary Public.

Confidential Documents

The Commission has a responsibility to provide a copy of each application to other agencies and to interested persons upon request, and to safeguard confidential material from becoming public knowledge. Thus, the Commission requests that the applicant: (1) be prudent in the designation of material as confidential and (2) submit such material only when essential to the review.

The Commission suggests that the applicant not submit confidential information as part of the application. However, if this cannot be avoided, the confidential information should be described in non-confidential terms throughout the application, cross-referenced, and submitted as a separate document or binder, and clearly marked “CONFIDENTIAL.”

Reasons for confidentiality include the concept of trade secrecy and other related legal concepts which give a business the right to preserve confidentiality of business information to obtain or retain advantages from its right in the information. This includes authorizations under Title 18 United States Code 1905 and special rules cited in Title 40 Code of Federal Regulations Part 2, Subpart B.

The applicant may elect to withdraw any confidential material submitted with the application. However, the registration cannot be issued, amended, or modified if the application is incomplete.

Attachments

Prepare the attachments according to the referenced rule sections for the attachments for Parts I through IV of this application. Additional attachments may be included in the application, as applicable.