

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN MUNICIPAL SOLID WASTE PERMIT (CONSOLIDATION OF PREVIOUSLY BIFURCATED APPLICATION)

PROPOSED PERMIT NO. 2383

APPLICATION. 130 Environmental Park, LLC, 132 Riverstone Terrace, Suite 103, Canton, Cherokee County, Georgia 30114, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit, proposed Permit No. 2383, to authorize the construction and operation of a new Type I Municipal Solid Waste Facility, including a landfill and facilities for waste storage and processing, that will accept municipal solid waste and certain special wastes. The facility is located approximately 2,800 feet east of U.S. Highway 183 between FM 1185 and Homannville Trail in Caldwell County, Texas 78644. The TCEQ received Parts III and IV of the application on February 18, 2014. These parts have been consolidated with the pending application addressing land use, and the entire application will now be considered in one proceeding. This application is available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Caldwell County, Texas 78644, and may be viewed online at <http://www.biggsandmathews.com/permits.php>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice:
<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.9731&lng=-97.6592&zooom=13&type=r>. For exact location, refer to application.

ADDITIONAL NOTICE. The TCEQ Executive Director has determined that the application is administratively complete and will conduct a technical review of the application. After completing the technical review, the TCEQ will issue a Notice of Application and Preliminary Decision. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments.

Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION All public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you choose to

communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record.

For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, toll free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from 130 Environmental Park, LLC at the address stated above or by calling Mr. Ernest Kaufmann, President and Manager of 130 Environmental Park, LLC at (770) 720-2717.

Issuance Date: February 28, 2014