



NOTICE OF MEETING

A meeting of the Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC) will be held at **1:30 p.m., on Wednesday, December 13, 2023**, in the Board Room of the Panhandle Regional Planning Commission offices located at 415 West Eighth Avenue, Amarillo, Potter County, Texas. In order to accommodate RSWMAC members and members of the public who may want to access the meeting remotely, a hybrid link is provided under Texas Government Code Section 551.127 with more than four counties in the State of Texas being represented on the advisory committee.

Members of the public interested in attending this meeting may do so by logging onto <https://meet.goto.com/137641093> or may participate by phone by dialing (872) 240-3412 Access Code: 137-641-093. A copy of the agenda packet for this meeting can be found on the PRPC's website at www.theprpc.org/Programs/SolidWasteMgmt/.

AGENDA

1. Call to Order

2. Approval of Minutes

Consider approval of the minutes from the previous RSWMAC meetings held on January 20, 2023.

Old Business:

3. Update on FY 2023 Implementation Projects

Staff report regarding progress of the FY 2023 Solid Waste Implementation Grant Projects.

New Business:

4. Permit Application for Type V Facility from High Plains Waste Water Disposal

The Committee will hear a presentation by High Plains Waste Water Disposal and/or Jerry Andersen on a permit application for a Type V Facility. The Committee will review and obtain comments then forward to Texas Commission on Environmental Quality (TCEQ).

5. **FY 2022/2023 By-Law and Grant Cycle Review**

The committee will review staff recommendations for the FY 2024/2025 By-Laws for the Regional Solid Waste Management Advisory Committee as well as documents for the grant program.

6. **RSWMAC Officer Election**

The committee will nominate and elect the FY 2024 Committee Chair and Vice Chair

Open Forum:

7. **Miscellaneous:**

- Open Roundtable discussion on solid waste issues or matters.

8. **Scheduling of the Next RSWMAC meeting:**

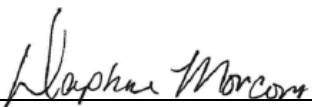
February 20th @ 12:00 pm

9. **Adjournment**

PUBLIC NOTICE

This notice complies with Texas Government Code Chapter 551, Open Meetings Act, Section 551.041 (Notice of Meeting Requirements); Section 551.043 (Time and Accessibility of Notice Requirements); and Section 551.053 (Notice Requirements of a Political Subdivision Extending into Four or More Counties). The notice has been filed at least 72 hours before the scheduled time of the meeting with the Secretary of State's Office, the Potter County Clerk's Office, and has been posted in the Administrative Office of the Panhandle Regional Planning Commission.

Posted this 27th day of **November 2023**, at 415 West Eighth Avenue, Amarillo, Texas, at **3:50 pm**.



Daphne Morcom



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 2

DRAFT Minutes from the 1.20.2023 RSWMAC Meeting

PANHANDLE REGIONAL PLANNING COMMISSION

Regional Solid Waste Management

Advisory Committee

Minutes

January 20, 2023

A meeting of the Panhandle Regional Solid Waste Advisory Committee (RSWMAC) was held on Friday, January 20, 2023, at 12:00 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas. In order to accommodate RSWMAC members of the public who may want to access the meeting remotely, a hybrid link was provided under Texas Government Code Section 551.127 with more than four counties in the State of Texas being represented on the advisory committee.

Mr. Brandan Knapp, Chair, presided.

MEMBERS PRESENT:

- Jason Anderson, City of Borger
- Paul Arganbright, City of Wheeler
- Eric Davidson, City of Dumas
- Curtis Green, City of Dalhart
- Alan Harder, City of Amarillo
- Brandan Knapp, City of Perryton
- David Morris, City of Memphis
- Justin Parker, City of Spearman
- Harvey Perez, City of Panhandle
- Adam Schaer, KB Recycling
- Todd Stiggins, Parkhill
- Mike Story, City of McLean
- Gary Turley, City of Pampa
- Mark Washburn, City of Gruver;

MEMBERS ABSENT:

- Drew Brassfield, City of Fritch
- Brittany Crawford, TCEQ Region 1
- Orrin Dankworth, Scrap Processing Company
- Leander Davila, City of Friona
- Ramsay Hamm, Porter Waste Solutions
- Susan Leary, Chamber of Commerce/Keep Childress Beautiful
- Richard Miller, SCARAB Manufacturing
- Larry Plumlee, City of Turkey
- Russell Procter, City of Tulia
- Dan Reese, City of Canyon
- Tony Rios, City of Dimmitt
- Johnny Torres, City of Hereford
- Tommy Wyatt, City of Canadian;

OTHERS PRESENT:

Eliot Sorella, & JF Labbé, Ecolomondo; Crystal Hermesmeier, City of Shamrock EDC/Chamber Director; Sandra Busch & Salvador Garcia, City of Friona; Spenser Harvey, Parkhill; Johnny Williams, City of Gruver; David Tollison, City of Stratford; Brent Sheets, City of Fritch; Johnny Taylor, City of Kress; Mikah Padilla & Donny Hooper, City of Amarillo; Tony McFarland, David Biddler, Tristan Bartosiewicz, Charley Hoover, Zaira Ochoa & Ruby Sanchez, Booker ISD;

STAFF PRESENT:

Daphne Morcom, Regional Services Program Specialist, Lori Gunn, Regional Services Director

1. **CALL TO ORDER**

Committee Chair, Mr. Brandan Knapp, noting that a quorum was present, called the meeting to order at 12:11 p.m. Introductions were made and prayer was offered by Ms. Daphne Morcom.

2. **MINUTES**

Members considered the minutes from the November 30, 2022 meeting of the Panhandle Regional Solid Waste Management Advisory Committee. Mr. Paul Arganbright moved that the minutes be approved as presented. Mr. Todd Stiggins seconded the motion; the motion carried.

3. **WORKING LUNCH PRESENTATION FROM ECOLOMONDO**

Ms. Morcom informed the group that Mr. Eliot Sorella from Ecolomondo will present during their working lunch. Members heard a presentation on the scrap tire processing facility that is currently under construction near the City of Shamrock.

4. **OVERVIEW OF SOLID WASTE GRANTS PROGRAM**

Ms. Morcom presented the following items:

- a) An overview of the Regional Solid Waste Grants Program – No action by the Committee was required.
- b) An overview of Project Consideration and Regional Planning Goals was discussed by Ms. Morcom. Mr. Justin Parker moved that the Committee accept the staff recommendation to follow the procedures set forth in the Committee Bylaws to hear and score the FY2023 Solid Waste Grant Program project applications. This includes waiting until all presentation have been made before registering the final FY2023 project scores. Mr. Paul Arganbright seconded the motion; the motion carried.
- c) An overview of the RSWMAC's Grant Selection Criteria and the Grant Prioritization Procedures – No action by the Committee was required.

5. FY2023 SOLID WASTE GRANT APPLICANT PRESENTATIONS

The following applications were considered. Mr. Alan Harder moved to accept staff recommendations:

- 1) The average/prioritized list of FY2023 Solid Waste Grant proposals, once the averages have been calculated by PRPC staff, stands as the RSWMAC’s funding recommendations for FY2023;
- 2) The averaged/prioritized list of FY2023 Solid Waste Grant proposals be forwarded to the PRPC Board of Directors along with a recommendation that those projects be funded in the order of their ranking;
- 3) The available FY2023 grant funds would then be distributed down the prioritized listing until fully encumbered.

Mr. Adam Schaer seconded the motion; the motion carried.

The applications for the FY2023 Solid Waste Grant funds were presented as follows:

<u>PRESENTER</u>	<u>APPLICANT</u>	<u>AMOUNT REQUESTED</u>
Charley Hoover, Tristen Bartosiewicz, Zaira Ochoa & Ruby Sanchez	Booker ISD	\$27,600.00
Curtis Green	City of Dalhart	\$20,000.00
Johnny Taylor	City of Kress	\$13,200.00
Sandra Bush	City of Friona	\$10,499.50
Mikah Padilla & Donny Hooper	City of Amarillo	\$37,436.00
Justin Parker	City of Spearman	\$13,615.00
Sandra Bush	City of Friona	\$14,233.08
Brent Sheets	City of Fritch	\$14,253.10
Johnny Williams	City of Gruver	\$15,900.00
Eric Davidson	City of Dumas	\$40,000.00
David Tollison	City of Stratford	\$25,140.00
David Morris	City of Memphis	\$ 7,915.00
	Total FY2023 Funds Requested	\$221,795.68
	Total FY2023 Funds Available	\$112,223.26
	Difference	(\$109,572.42)

6. RSWMAC PRIORITIZATION OF THEIR FY2023 SOLID WASTE GRANT APPLICATIONS

Applicant presentations were heard and the RSWMAC evaluated and prioritized all FY2023 applications. Mr. Tommy Bogart moved that the lists be forwarded to the PRPC Board of Directors for their approval. Mr. Adam Schaer seconded; the motion carried.

7. **MISCELLANEOUS NON-ACTION INFORMATION ITEMS**

Mr. Schaer advised the members that it looks like OCC prices might be at or close to hitting the bottom. They are expecting the prices to begin increasing.

Mr. Turley stated that a Biofuel company was looking at coming to the City of Pampa. It is still early as they are debating between them and a city in Louisiana. Mr. Turley said that they have not yet started the permitting process with TCEQ but the Pampa EDC is working to recruit the company. The details are a bit unclear; right now, it appears that they want a transfer station at Pampa for sorting.

The City of Gruver has an old baler that they are willing to transfer. Mr. Washburn said that it needs some maintenance since it was purchased in either 1996 or 1997. Mr. Knapp then inquired about end of life policies for grant purchased equipment. Ms. Gunn advised that the grantee is the owner. If equipment is still in working condition and we can transfer it among members within the Panhandle, that is the first route attempted. As far as value, PRPC uses a straight-line ten-year depreciation.

Ms. Morcom reminded members that all PEP requests need to be turned into her because Rachel is no longer with Keep Texas Recycling.

Mr. Stiggins advised the committee that the legislature is looking at post closure care on landfills. They are currently looking for public comments. Mr. Stiggins encouraged members to read it and make any comments that will assist the municipalities with their landfills closure.

8. **SCHEDULING OF NEXT RSWMAC MEETING**

Ms. Morcom advised it would be in the fall unless a permit review request is received. Ms. Morcom will work with the Chair to schedule the meetings and let the committee know the dates.

9. **ADJOURNMENT**

There being no further business to come before the Committee, Mr. Brandan Knapp adjourned at 2:45 p.m.



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 3

Update on FY 2023 Implementation Projects



MEMORANDUM

DATE: November 27, 2023
TO: RSWMAC Members
FROM: Daphne Morcom, Regional Services Program Specialist
SUBJECT: Agenda Item #3
Update on FY 2023 Implementation Projects

BACKGROUND:

After the FY 2023 grant contracts were executed on March 13, 2023, work began to implement all 6 projects. All FY 2023 grant invoices have been received and paid before the deadline.

The following page gives you a breakdown of all the FY 2022/2023 projects with their completion and financial status.

FY 2023 PROJECT IMPLEMENTATION STATUS REPORT

Grantee	Project	Notes
Booker ISD	Baler	Project Complete
City of Dumas	Airburner Firebox	Project Complete
City of Fritch	Recycling Trailer	Project Complete
City of Spearman	Cardboard Dumpsters	Project Complete
City of Gruver	Yard Waste Dumpsters	Project Complete
City of Friona	Recycling Center Security Cameras and Lights	Project Complete

SOLID WASTE IMPLEMENTATION PROJECT FUNDING APPROVAL

Panhandle Regional Planning Commission - #1

FY 22/23

March 21, 2022

8/4/2022; 2/16/2023; 6/7/2023

FY + Project Number	Grant Recipient	Purpose	Initial Funding	Adjusted Funding By Project	Total Funding After Adjustments
22-01-01	PRPC	Marketing and Transportation of Baled Materials	\$ 5,000.00	\$0.00	\$5,000.00
22-01-02	City of Fritch	Local Enforcement Cameras and Street Lights	\$ 6,724.50	(\$1,289.66)	\$5,434.84
22-01-03	City of Friona	Forklift for Recycling Facility	\$ 30,000.00	(\$8,500.00)	\$21,500.00
22-01-04	City of Spearman	Skid Steer for Recycling Facility	\$ 31,282.86	\$0.00	\$31,282.86
22-01-05	City of Tulia	Container for Yard Waste	\$ 14,500.00	\$0.00	\$14,500.00
22-01-06	Collingsworth County	Containers for Used Motor Oil	\$ 8,386.00	(\$737.00)	\$7,649.00
22-01-07	City of Perryton	Containers for Recycling	\$ 10,000.00	\$0.00	\$10,000.00
22-01-08	City of Friona	Baler for Recycling Facility	\$ 3,177.98	\$11,467.28	\$14,645.26
			\$0.00	\$0.00	\$0.00
Total Project Approval for FY:		FY 22	\$109,071.34	\$940.62	\$110,011.96
22-01-01	PRPC	Marketing and Transportation of Baled Materials	\$ 5,000.00	(\$868.39)	\$4,131.61
23-01-01	Booker ISD	Baler for Recycling Center	\$ 27,600.00	\$0.00	\$27,600.00
23-01-02	City of Dumas	Firebox for Yard Waste	\$ 40,000.00	\$0.00	\$40,000.00
23-01-03	City of Fritch	Trailer for Recycling	\$ 14,253.10	(\$1,859.10)	\$12,394.00
23-01-04	City of Spearman	Containers for Recycling	\$ 13,615.00	(\$138.00)	\$13,477.00
23-01-05	City of Gruver	Container for Yard Waste	\$ 15,900.00	(\$665.00)	\$15,235.00
23-01-06	City of Friona	Local Enforcement Cameras and Security Lights	\$ 1,723.55	\$2,662.10	\$4,385.65
			\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00
Total Project Approval for FY:		FY 23	\$118,091.65	(\$868.39)	\$117,223.26
Implementation Project Budget - 1st FY		FY 22	\$114,663.54		
Implementation Project Budget - 2nd FY		FY 23	\$110,933.60		
Total Biennium Project Budget:					\$227,235.22
Project Funding Authorized (to-date):					\$227,235.22
Remaining Project Balance:					\$0.00



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 4

**Permit Application Review for Type V Facility from High
Plains Waste Water Disposal**



Texas Commission on Environmental Quality

Part I Application Form for New Permit, Permit Amendment, or Registration for a Municipal Solid Waste Facility

Application Tracking Information

Facility Name: _____

Permittee or Registrant Name: _____

MSW Authorization Number: _____

Initial Submission Date: _____

Revision Date: _____

Instructions for completing this Part I Application Form are provided in [TCEQ 00650-instr](#)¹. Include a [Core Data Form \(TCEQ 10400\)](#)² with the application for the facility owner, and another Core Data Form for the operator if different from the owner. If you have questions, contact the Municipal Solid Waste Permits Section by email to mswper@tceq.texas.gov, or by phone at 512-239-2335.

Application Data

1. Submission Type

Initial Submission Notice of Deficiency (NOD) Response

2. Authorization Type

Permit Registration

3. Application Type

New Permit
 Permit Major Amendment Permit Limited Scope Major Amendment
 New Registration

¹ www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/00650-instr.pdf

² www.tceq.texas.gov/goto/coredata

4. Application Fee

Amount

- \$2,050—New Landfill Permits, and Landfill Permit Major Amendments Described in 30 TAC [305.62\(j\)\(1\)](#)
- \$150—Other Permits, Landfill Limited Scope Major Amendments, Permit Amendments for Storage and Processing Facilities, and Registrations

Payment Method

- Check
- Online through ePay portal www3.tceq.texas.gov/epay/

If paid online, enter ePay Trace Number: _____

5. Application URL

For applications other than those for arid exempt landfills, provide the URL address of a publicly accessible internet web site where the application and all revisions to the application will be posted.

6. Party Responsible for Publishing Notice

Indicate who will be responsible for publishing notice:

- Applicant Agent in Service Consultant

Contact Name: _____

Title: _____

Email Address: _____

7. Alternative Language Notice

Use the Alternative Language Checklist on Public Notice Verification Form TCEQ-20244-Waste-NORI, TCEQ-20244-Waste-NAPD, or TCEQ-20244-Waste-NAORPM available at www.tceq.texas.gov/permitting/waste_permits/msw_permits/msw_notice.html to determine if an alternative language notice is required.

Is an alternative language notice required for this application?

- Yes No

Indicate the alternative language: _____

8. Public Place for Copy of Application

Name of the Public Place: _____
Physical Address: _____
City: _____ County: _____ State: TX Zip Code: _____
Phone Number: _____

9. Consolidated Permit Processing

Is this submittal part of a consolidated permit processing request, in accordance with 30 TAC Chapter 33?

Yes No

If "Yes", indicate the other TCEQ program authorizations requested:

10. Confidential Documents

Does the application contain confidential documents?

Yes No

If "Yes", reference the confidential documents in the application, but submit the confidential documents as an attachment in a separate binder marked "CONFIDENTIAL."

11. Permits and Construction Approvals

Mark the following table to indicate status of other permits or approvals.

Table 1. Permits and Construction Approvals.

Permit or Approval	Received	Pending	Not Applicable
Hazardous Waste Management Program under Texas Solid Waste Disposal Act			
Underground Injection Control Program under Texas Injection Well Act			
National Pollutant Discharge Elimination System Program under Clean Water Act; Waste Discharge Program under Texas Water Code, Chapter 26			
Prevention of Significant Deterioration Program under Federal Clean Air Act (FCAA); Nonattainment Program under the FCAA			
National Emission Standards for Hazardous Air Pollutants Preconstruction Approval under the FCAA			

Permit or Approval	Received	Pending	Not Applicable
Ocean Dumping Permits under Marine Protection Research and Sanctuaries Act			
Dredge or Fill Permits under Clean Water Act			
Licenses under the Texas Radiation Control Act			
Other (describe):			
Other (describe):			

12. Facility General Information

Facility Name: _____

Contact Name: _____ Title: _____

MSW Authorization Number (if existing): _____

Regulated Entity Reference Number: **RN** _____

Physical or Street Address (if available): _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Latitude (Degrees, Minutes Seconds): _____

Longitude (Degrees, Minutes Seconds): _____

Benchmark Elevation (above mean sea level): _____ feet

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

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

Coastal Management Program

Is the facility within the Coastal Management Program boundary?

Yes No

13. Facility Types

- Type I Type IV Type V
 Type IAE Type IVAE Type VI

14. Activities Conducted at the Facility

- Storage Processing Disposal

15. Facility Waste Management Units

Check the box for each type of waste management unit proposed.

- | | |
|---|---|
| <input type="checkbox"/> Landfill Unit(s) | <input type="checkbox"/> Container(s) |
| <input type="checkbox"/> Incinerator(s) | <input type="checkbox"/> Roll-off Boxes |
| <input type="checkbox"/> Class 1 Landfill Unit(s) | <input type="checkbox"/> Surface Impoundment |
| <input type="checkbox"/> Process Tank(s) | <input type="checkbox"/> Autoclave(s) |
| <input type="checkbox"/> Storage Tank(s) | <input type="checkbox"/> Refrigeration Unit(s) |
| <input type="checkbox"/> Tipping Floor | <input type="checkbox"/> Mobile Processing Unit(s) |
| <input type="checkbox"/> Storage Area | <input type="checkbox"/> Compost Pile(s) or Vessel(s) |
| <input type="checkbox"/> Other (specify): | |

16. Description of Proposed Facility or Changes to Existing Facility

Provide a brief description of the proposed activities if application is for a new facility, or the proposed changes to an existing facility or permit conditions if the application is for an amendment.

17. Facility Contact Information

Site Operator (Permittee or Registrant)

Name: _____

Customer Reference Number: **CN** _____

Contact Name: _____ Title: _____

Mailing Address: _____

City: _____ County: _____ State: ____ Zip Code: _____

Phone Number: _____

Email Address: _____

Texas Secretary of State (SOS) Filing Number: _____

Operator (if different from Site Operator)

Name: _____

Customer Reference Number: **CN** _____

Contact Name: _____ Title: _____

Mailing Address: _____

City: _____ County: _____ State: ____ Zip Code: _____

Phone Number: _____

Email Address: _____

Texas Secretary of State (SOS) Filing Number: _____

Consultant (if applicable)

Firm Name: _____

Consultant Name: _____

Texas Board of Professional Engineers Firm Registration Number: _____

Contact Name: _____ Title: _____

Mailing Address: _____

City: _____ County: _____ State: ____ Zip Code: _____

Phone Number: _____

Email Address: _____

Agent in Service (required for out-of-state applicants)

Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

18. Facility Supervisor License

Indicate the level of Municipal Solid Waste Facility Supervisor license, as defined in 30 TAC Chapter 30, Occupational Licenses and Registrations, Subchapter F that the individual who supervises or manages the operations will obtain prior to commencing operations.

Class A Supervisor License Class B Supervisor License

19. Ownership Status of the Facility

Business Type

- | | |
|--|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> County Government |
| <input type="checkbox"/> Individual | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Federal Government |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Other Government |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Military |
| <input type="checkbox"/> City Government | <input type="checkbox"/> Other (specify): _____ |

Facility Owner

Does the Site Operator (Permittee or Registrant) own all the facility units and all the facility property?

Yes No

If "No", provide the following information for other owners.

Owner Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

20. Other Government Entities Information

Texas Department of Transportation

District: _____

District Engineer's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

Local Government Authority Responsible for Road Maintenance (if applicable)

Government or Agency Name: _____

Contact Person's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

City Mayor Information

City Mayor's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

City Health Authority

Authority Name: _____

Contact Person's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

County Judge Information

County Judge's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

County Health Authority

Agency Name: _____

Contact Person's Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

State Representative Information

District Number: _____
State Representative's Name: _____
District Office Mailing Address: _____
City: _____ County: _____ State: TX Zip Code: _____
Phone Number: _____
Email Address: _____

State Senator Information

District Number: _____
State Senator's Name: _____
District Office Mailing Address: _____
City: _____ County: _____ State: TX Zip Code: _____
Phone Number: _____
Email Address: _____

Council of Governments (COG)

COG Name: _____
COG Representative's Name: _____
COG Representative's Title: _____
Mailing Address: _____
City: _____ County: _____ State: TX Zip Code: _____
Phone Number: _____
Email Address: _____

River Basin Authority

Authority Name: _____
Contact Person's Name: _____
Watershed Sub-Basin Name: _____
Mailing Address: _____
City: _____ County: _____ State: TX Zip Code: _____
Phone Number: _____
Email Address: _____

U.S. Army Corps of Engineers District

Indicate the U.S. Army Corps of Engineers district in which the facility is located:

- 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.

Signature Page

Site Operator 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: _____ Title: _____

Email Address: _____

Signature: _____ Date: _____

Operator or Principal Executive Officer Designation of Authorized Signatory

To be completed by the operator if the application is signed by an authorized representative for the operator.

I hereby designate _____ 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.

Operator or Principal Executive Officer Name: _____

Email Address: _____

Signature: _____ Date: _____

Notary

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

Note: Application Must Bear Signature & Seal of Notary Public

Part I Attachments

Refer to instruction document 00650-instr for professional engineer seal requirements.

Attachments Table 1. Required attachments.

Required Attachments	Attachment Number
Supplementary Technical Report	
Property Legal Description	
Property Metes and Bounds Description	
Facility Legal Description	
Facility Metes and Bounds Description	
Metes and Bounds Drawings	
On-Site Easements Drawing	
Land Ownership Map	
Landowners List	
Mailing Labels (printed and electronic)	
Texas Department of Transportation (TxDOT) County Map	
General Location Map	
General Topographic Map	
Verification of Legal Status	
Property Owner Affidavit	
Evidence of Competency	

Attachments Table 2. Additional attachments as applicable.

Additional Attachments as Applicable (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> TCEQ Core Data Form(s)	
<input type="checkbox"/> Signatory Authority Delegation	
<input type="checkbox"/> Fee Payment Receipt	
<input type="checkbox"/> Confidential Documents	
<input type="checkbox"/> Waste Storage, Processing and Disposal Ordinances	
<input type="checkbox"/> Final Plat Record of Property	

Additional Attachments as Applicable (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> Certificate of Fact (Certificate of Incorporation)	
<input type="checkbox"/> Assumed Name Certificate	
Other (describe):	
Other (describe):	
Other (describe):	

**HIGH PLAINS WASTE WATER DISPOSAL
TYPE V-GG PROCESSING FACILITY
RANDALL COUNTY, TEXAS**

MSW PERMIT 2418 APPLICATION

INITIAL SUBMITTAL MARCH 31, 2023

REVISION 03 November 16, 2023

FOR

**HIGH PLAINS WASTE WATER DISPOSAL, LLC
500 W. McAfee ROAD
RANDALL COUNTY, TEXAS**

Prepared by:

**JERRY W. ANDERSEN, PG
ANDERSEN & ASSOCIATES COMPLIANCE CONSULTANTS, INC.
2318 VICTORIA
AMARILLO, TEXAS 79106
806.679.9735**

**J. BRIAN DUDLEY, P.E.
BRIAN DUDLEY ENGINEERING
16904 GOLDENWOOD WAY
AUSTIN, TEXAS 78737
REGISTERED ENGINEERING FIRM F-15657**

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**HIGH PLAINS WASTE WATER DISPOSAL
TYPE V-GG PROCESSING FACILITY
RANDALL COUNTY, TEXAS**

MSW PERMIT 2418 APPLICATION

**PART I FORM AND GENERAL INFORMATION
PART I**

INITIAL SUBMITTAL MARCH 31,2023

REVISION 02 November 16, 2023

FOR

**HIGH PLAINS WASTE WATER DISPOSAL, LLC
500 W. McAfee ROAD
RANDALL COUNTY, TEXAS**

Prepared by:

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REGISTERED ENGINEERING FIRM F-15657**

INTRODUCTION AND FACILITY SETTING 330.59(B) AND (C)(2)

The High Plains Waste Water Disposal, LLC facility is located within an unincorporated area of Randall County, Texas. The liquid processing facility will be located on approximately 5.0 acres at 500 W. McAfee Road, Randall County, Texas. The site is approximately 0.25 miles north of McAfee Road along a private road owned by Willis Malone, a Managing Member of the High Plains Waste Water Disposal, LLC. This road is known as Gettysburg Road and is an all-weather road with a crushed asphalt surface. The private road gate at McAfee Road is approximately 0.5 miles east of the intersection of McAfee Road and Farm-to-Market Road 1541 (aka Washington Street). This intersection is approximately 4.5 miles south of the intersection of FM 1541 and Loop 335 in the southern portion of Amarillo, Texas. McAfee Road and Washington Street are two-lane asphalt paved roads maintained by the Texas Department of Transportation (TxDOT). The site is located at Latitude 35.061666 N and Longitude 101.83888 W.

The TXDOT general county map of the facility and surrounding area is provided to show the facility location at two scales as Figures 1 and 2. All maps in this application are the latest revisions.

1.1 ADJACENT PROPERTY OWNERSHIP 330.59(C)(3)

Land ownership of properties within ¼ mile of the facility are included as Figure 5. The names and addresses of the landowners are listed below with the corresponding numbers on the Figure. Potter-Randall Appraisal District's records did not indicate any mineral interest ownership under the property.

Map ID	ADDRESS	OWNER OF RECORD (per PRAD)
1	500 McAfee Rd.	Willis E. Malone PO Box 32108 Amarillo, TX 79120-2108
2	500 McAfee Rd.	Willis E. Malone PO Box 32108 Amarillo, TX 79120-2108

- | | | |
|----|---------------------|--|
| 3 | 600 McAfee Ln. | Jody Richardson
600 McAfee Ln.
Amarillo, TX 79118-3755 |
| 4 | 600 McAfee Ln. | Jody Richardson
600 McAfee Ln.
Amarillo, TX 79118-3755 |
| 5 | 600 McAfee Ln. | Jody Richardson
600 McAfee Ln.
Amarillo, TX 79118-3755 |
| 6 | 700 W. McAfee Ln. | Aaron Pemberton
700 W. McAfee Ln.
Amarillo, TX 79118-3586 |
| 7 | 14425 FM 1541 | Crossroads Cowboy
PO Box 50608
Amarillo, TX 79159-0608 |
| 8 | 14390 Savannah Rd. | Walter Beltran
14390 Savannah Rd.
Amarillo, TX 79118-3550 |
| 9 | 801 Chattanooga Rd. | Randy Gene Baker
801 Chattanooga Rd.
Amarillo, TX 79118-3563 |
| 10 | 801 Chattanooga Rd. | Randy Gene Baker
801 Chattanooga Rd.
Amarillo, TX 79118-3563 |
| 11 | 715 Chattanooga Rd. | Timothy L. Blackburn
715 Chattanooga Rd.
Amarillo, TX 79118-3564 |
| 12 | 701 Chattanooga Rd. | Timothy L. Blackburn
715 Chattanooga Rd.
Amarillo, TX 79118-3564 |

- 13 651 Chattanooga Rd. Dale Garrett
648 Chattanooga Rd.
Amarillo, TX 79118-3557
- 14 621 Chattanooga Rd. Mark Chevie
649 Chattanooga Rd.
Amarillo, TX 79118-3565
- 15 601 Chattanooga Rd. Joyce Raylene Newman Hicks
1 Ferrin Park
Amarillo, TX 79124-5704
- 16 551 Chattanooga Rd. Becky Lynn Carothers
551 Chattanooga Rd.
Amarillo, TX 79118-3566
- 17 501 Chattanooga Rd. Kevil D. Oxley
501 Chattanooga Rd.
Amarillo, TX 79118-3566
- 18 451 Chattanooga Rd. Joe Estrada
1911 S. Philadelphia
Amarillo, TX 79103-4226
- 19 415 Chattanooga Rd. 492 Financial Trust
117 Parker St.
Amarillo, TX 79106-8431
- 20 411 Chattanooga Rd. 492 Financial Trust
117 Parker St.
Amarillo, TX 79106-8431
- 21 401 Chattanooga Rd. Henry F. Easton
401 Chattanooga Rd.
Amarillo, TX 79118-3567
- 22 301 Chattanooga Rd. Samuel Jackson Bell, Jr.
301 Chattanooga Rd.
Amarillo, TX 79118-3568

- 23 301 Chattanooga Rd. Samuel Jackson Bell, Jr.
301 Chattanooga Rd.
Amarillo, TX 79118-3568
- 24 14375 Shiloh Rd. Salvador Mendoza, Jr.
14375 Shiloh Rd.
Amarillo, TX 79118-3529
- 25 750 Chattanooga Rd. Vincent Edward Eads
750 Chattanooga Rd.
Amarillo, TX 79118-3556
- 26 710 Chattanooga Rd. Vincent Edward Eads
750 Chattanooga Rd.
Amarillo, TX 79118-3556
- 27 660 Chattanooga Rd. Michelle Long
9 Justin Ln.
Canyon, TX 79015-1550
- 28 650 Chattanooga Rd. Dale Garrett
648 Chattanooga Rd.
Amarillo, TX 79118-3557
- 29 14204 Gettysburg Rd. Oscar Robledo
14204 Gettysburg Rd.
Amarillo, TX 79118-3573
- 30 600 Chattanooga Rd. Monica Perez
828 N. Manhattan St.
Amarillo, TX 79107-7060
- 31 14225 Gettysburg Rd. Peter Richardson
14225 Gettysburg Rd.
Amarillo, TX 79118-3544
- 32 14251 Gettysburg Rd. Misty Dawn Lerch
3315 Lynette Dr.
Amarillo, TX 79109-4509

33	500 Chattanooga Rd.	Sharalynn Horton 500 Chattanooga Rd. Amarillo, TX 79118-3558
34	412 Chattanooga Rd.	Ruben Navarro 412 Chattanooga Rd. Amarillo, TX 79118-3681
35	413 Chattanooga Rd.	Jay Story 413 Chattanooga Rd. Amarillo, TX 79118-3567
36	350 Chattanooga Rd.	Saul Gordon Thomas 350 Chattanooga Rd. Amarillo, TX 79118-3559
37	300 Chattanooga Rd.	Doris Taylor 106 W. FM 1151 Amarillo, TX 79118-3350
38	14251 Shiloh Rd.	Sandra Keeble 14251 Shiloh Rd. Amarillo, TX 79118-3528
39	211 Chattanooga Rd.	Earlene Brown Allgood 211 Chattanooga Rd. Amarillo, TX 79118-2503
40	14401 Shiloh Rd.	N. C. Dittrich 14407 Shiloh Rd. Amarillo, TX 79118-3526
41	14400 Shiloh Rd.	Gilbert Whitten 14400 Shiloh Rd. Amarillo, TX 79118-3525
42	500 McAfee Rd.	Willis E. Malone PO Box 32108 Amarillo, TX 79120-2108

43	14500 Shiloh Rd.	Kiel Schieffer 14500 Shiloh Rd. Amarillo, TX 79118
44	14551 Shiloh Rd.	James White 14551 Shiloh Rd. Amarillo, TX 79118-3524
45	14651 Shiloh Rd.	Sandra L. Miller Wright 14650 Shiloh Rd. Amarillo, TX 79118-3520
46	14650 Shiloh Rd.	Sandra L. Miller Wright 14650 Shiloh Rd. Amarillo, TX 79118-3520
47	14701 Shiloh Rd.	Larry Richardson 14701 Shiloh Rd. Amarillo, TX 79118-3522
48	14771 Shiloh Rd.	Marty Wallis 14771 Shiloh Rd. Amarillo, TX 79118-3522
49	14776 Shiloh Rd.	John H. Graves, Jr. 14776 Shiloh Rd. Amarillo, TX 79118-3521
50	500 McAfee Rd.	Willis E. Malone PO Box 32108 Amarillo, TX 79120-2108
51	14151 Gettysburg Rd	Orville Aufleger 14151 Gettysburg Rd Amarillo Tx 79118-3543
52	14155 Appomattox Rd	David L. Dunn 7140 River Rd Amarillo Tx 79108-3211

53	14175 Appomattox Rd	Lynda Dee Childress 14175 Appomattox Rd Amarillo Tx 79118-3542
54	14176 Charleston Rd	Steve Klause 14176 Charleston Rd Amarillo Tx 79118-3539
55	14151 Charleston Rd	Cody Wayne Garrett 14151 Charleston Rd Amarillo Tx 79118-3540
56	200 Chattanooga Rd	Dreama K Brannon 200 Chattanooga Rd Amarillo Tx 79118-3560
57	201/211 Chattanooga	Earlene Brown Allgood 190 W Cherry Ave Amarillo Tx 79108-2503
58	McAfee Rd.	Milligan Pit Property 9200 Triangle Dr Amarillo Tx 79108-7531
59	McAfee Rd.	Williams Nancy PO Box 374 Tahoka Tx 79373-0374
60	McAfee Rd.	McCormick Bailie Jack Trust Po Box 493 Kechi Ks 67067-0493

Note: For property locations, see Figure 5.

1.2 PROPERTY OWNER INFORMATION 330.59(D)

The permit boundary of the liquid processing facility is approximately 5.0 acres situated within a larger 70-acre tract owned by Willis Malone. A legal description and survey drawing of the permit boundary is contained in Appendix 1. The property owner affidavit is included in Appendix 2 of this Application. There are no existing easements within the permit boundary.

1.3 LEGAL STATUS AND EVIDENCE OF COMPETENCY 330.59(E) AND (F)

Evidence of the legal status and competency information for High Plains Waste Water Disposal, LLC is contained in Appendix 2.

Neither Mr. Willis Malone nor High Plains Waste Water Disposal, LLC has owned nor operated any solid waste sites in Texas or any other state within the past ten years. They also have no direct financial interest in any solid waste sites in any states.

The minimum number of staff required to operate the facility is two, a plant supervisor to ensure conformance with the design and operational standards and a full-time employee assigned as the operator of the facility. The staff have the following duties:

Plant Supervisor, whose duties will include:

1. managing the overall facility and being the contact person for regulatory compliance matters;
2. assuring that sufficient personnel and equipment are available to provide facility operation in accordance with the site design criteria, Site Operating Plan and the TCEQ regulations;
3. supervising all activities to ensure the safety of all persons on the site including personnel training and quality control monitoring of the processing operations;
4. manifesting the wastes handled at the facility and complying with the requirements of record keeping;
5. supervising the processing of material and equipment inspections; and
6. assuring that information in the Operating Record is complete, reports are submitted to TCEQ as required, and coordination occurs with other regulatory agencies;

Facility Operator, whose duties will include:

1. accepting waste, conducting process operations and handling the processed waste in accordance with the rules explained in Part IV, "Site Operating Plan" of this application;

2. taking necessary steps to ensure that trucks bringing waste to the site are properly secured in order to prevent the escape of its load by spilling and reporting violators to proper law enforcement officers;
3. performing routine facility maintenance activities; and
4. cleaning up spilled materials, cleaning all working surfaces that come in contact with waste, and cleaning tanks/tank trucks.

At least one of the company managers, supervisors or operators will have a solid waste facility supervisor license, as defined in 30 TAC 30. A Class B license is currently required. At least one employee will also receive hazardous waste screening training. The personnel will also have the training and the experience necessary to operate the equipment at the site. The Site Operating Plan (Part IV of this Application) provides guidance on operating procedures for the site management and operating personnel in adequate detail to allow the personnel to conduct the day-to-day operation in accordance with the permit requirements.

1.4 APPLICANT'S STATEMENT AND APPOINTMENTS 305.44, 330.59(G)

The certification statement (Statement of Applicant) required by 305.44 is included in the Part I form of this Application.

1.5 NON-APPLICABLE REGULATORY SECTIONS

The following rules are not applicable to this Type V facility.

- §330.59(d)(2)(B), since no waste will remain after closure;
- §330.59(f)(5), applicable only for landfill permit applications;
- §330.59(f)(6), applicable only for mobile liquid waste processing units; and
- §330.59(h)(2), applicable only for a registration over a closed MSW landfill.

**HIGH PLAINS WASTE WATER DISPOSAL
TYPE V-GG PROCESSING FACILITY
RANDALL COUNTY, TEXAS**

MSW PERMIT 2418 APPLICATION

**GENERAL INFORMATION
PART II**

INITIAL SUBMITTAL MARCH 31, 2023

REVISION 03 November 16, 2023

FOR

**HIGH PLAINS WASTE WATER DISPOSAL, LLC
500 W. McAfee ROAD
RANDALL COUNTY, TEXAS**

Prepared by:

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2.0 THE PROPOSED FACILITY AND EXISTING CONDITIONS SUMMARY 330.61(A)

High Plains Waste Water Disposal, LLC is applying to the Texas Commission on Environmental Quality (TCEQ) to permit a Type V MSW Liquid Waste Processing Facility in Randall County.

2.1 SUMMARY TECHNICAL REPORT

The proposed High Plains Waste Water Disposal liquid waste processing facility will be authorized by a TCEQ municipal solid waste permit, as required by 30 TAC §330.7(a). Type V facility permit rules are applicable as defined in 30 TAC § 330.5(a)(3).

The facility will be located on approximately 5.0 acres located at 500 W. McAfee Road, Randall County, Texas. The site is approximately 0.25 miles north of McAfee Road and approximately 0.5 miles from the intersection of McAfee Road and Farm-to-Market Road 1541 (aka Washington Street). The site is located at Latitude 35.061666 N and Longitude 101.83888 W. The site currently contains a relatively new metal building (approximately 50 ft x 100 ft) that will be the location of most of the processing operations. Maps indicating these features along with property boundaries, are included in the Figures Section of the Application.

This facility will process up to 100,000 gallons per day of municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap and septage waste; raw sewage, lift station and chemical toilet waste; animal wastes; drinking water treatment and wastewater treatment sludge; food waste; stormwater and groundwater collection/drainage system cleanout wastes.

The material will arrive via vacuum trucks delivered by properly licensed transporters. Manifests will be checked prior to accepting the material and any material found to be unacceptable under 30 TAC §330.15 will not be off-loaded. All waste offloading will be conducted within the facility building. The concrete floor of the facility building is sloped towards a sump designed to contain any spills.

Material found to be acceptable will be off-loaded into a screening unit and will be visually inspected by the on-site supervisor. Screened material not suitable for processing will be collected and disposed at an authorized MSW facility. Acceptable material will be pumped into holding tank(s) until processed. Unprocessed material will not be stored longer than 72 hours. The holding tanks will be adjacent to the treatment building in a bermed area to contain any spills.

The processing of waste involves treatment, stabilization and dewatering of the liquid. Material to be processed will be pumped from the holding tank into a treatment container. Polymer will be added to the material to de-water the waste. During this process, free liquid will flow through specially designed screens, out of the treatment container and into the sump; solids will remain in the treatment container. The collected water will be pumped from the sump into a separate holding tank and transported to another authorized processing or disposal facility. Solids will be transported to an authorized compost facility, processor or area MSW landfill.

The site has been a commercial waste transport and equipment company for several years and is in a low-density area with residences not affiliated with the company a minimum of about ¼ mile away. Traffic generated by the Type V processing business is not expected to exceed 35 vehicles per day.

The Type V processing facility will operate in compliance with the Texas Solid Waste Disposal Act, and any other applicable regulations or rules so that the following conditions will not occur:

- the discharge or imminent threat of discharge of liquid waste or solid waste to the waters of the state without obtaining specific authorization for discharge from the Commission;
- the creation and maintenance of a nuisance; and
- the endangerment of human health and welfare or the environment.

2.2 WASTE ACCEPTANCE PLAN 330.61(B)

The waste materials that will be processed at the facility are municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap and septage waste; raw sewage, lift station and chemical toilet waste; animal wastes; drinking water treatment and wastewater treatment sludge; food waste; stormwater and groundwater collection/drainage system cleanout wastes, within about 200 miles of Amarillo, Texas. Liquid waste will be delivered to the facility by independent transporters or by trucks affiliated with HPWWD. No waste will be accepted from unregistered transporters. Each incoming load will be manifested and visually screened by trained employees for unauthorized or prohibited material before processing.

This facility will accept and process authorized liquid wastes for the purpose of separation into solids and liquid. The total waste stream may be composed of any percentage of the above listed

waste streams, consisting of large solids, fine particles, grease and water. BOD (Biological Oxygen Demand) and pH do not impact the treatment of the material. No other usual constituents in these wastes will impact the design or operation of the facility. General descriptions of the authorized wastes follow.

HPWWD will accept and process non-hazardous grease and grit trap waste. Grease trap waste is material collected in and from a grease interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from dewatering processes. Grit trap waste includes waste from interceptors in the drains prior to entering the sewer system at maintenance and repair shops, automobile service stations, car washes, and other similar establishments. Lint waste is from an interceptor at a laundry. Since the municipal and commercial businesses that transport these wastes to HPWWD do not normally generate waste streams that contain hazardous constituents, it is unlikely hazardous waste will be contained in this waste.

Grease and grease trap waste is composed of food grease, dirt, trash, food particles and/or water. Pollutant concentrations are extremely variable, depending upon, among other factors, the generator, the size of the trap and the frequency with which the trap is pumped. In most cases, the waste contains floating matter made up primarily of animal and vegetable grease and oil, settled food particles, and wastewater containing large amounts of dissolved and suspended food matter. Grease may also be referred to as yellow, brown, white, or black. The waste is typically characterized by high levels of BOD (500 to 25,000 mg/L +), TSS (0.5% to 8%) and with pH levels generally in the 4.0 to 6.0 range.

Grit Trap Waste is composed of wastes periodically removed from primary grit traps for domestic wastewater treatment facilities, car washes, service stations, etc. typically consists of heavy particles of sand, dirt and silt. The waste is characterized by high levels of BOD (500 to 5,000 gm/L), TSS (0.2% to 8%), and pH levels generally in the 6.0 to 9.0 range.

Septage waste includes wastes pumped from septic tanks used by residential units, schools, motels/hotels, restaurants and other commercial and industrial establishments, and sewage and wash waters from holding tanks, lift stations or similar systems. Septage is composed of sewage products, inert materials and related trash. Septage waste is periodically removed depending on the capacity of the septic tank, the usage, and the solids content of the waste.

The waste is typically characterized by high levels of BOD (300 to 500mg/L) and TSS (0.3% to 6%) with pH levels generally in the 5.5 to 7.0 range.

Water/wastewater sludge is typically composed of 1-4% solids with the remainder being water. Food wastes are variable and may be beverages or other foods containing water and oils.

The amount of waste that HPWWD will treat each day can be composed of any mixture of allowable wastes and is limited to the daily maximum limits described in Section 3.1.2.1.

2.2.1 Prohibited and Unauthorized (Excluded) Wastes

Prohibited and unauthorized (excluded) wastes are all wastes which are not municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap and septage waste; raw sewage, lift station and chemical toilet waste; animal wastes; drinking water treatment and wastewater treatment sludge; food waste; stormwater and groundwater collection/drainage system cleanout wastes including:

- regulated hazardous waste as defined in §330.3;
- polychlorinated biphenyls (PCB) waste as defined in accordance with 40 CFR Part 761; radioactive waste as defined in Chapter 336;
- radioactive wastes; and
- unidentified wastes.

If an incoming load is suspected or confirmed as containing an unauthorized, unknown, hazardous or PCB waste, the material will not be unloaded, and the transporter will remove the material from the site. If the operator becomes aware that hazardous wastes have been inadvertently accepted, he will immediately contain the accepted material by terminating process flow and will return the material to the transporter or generator, if practical, or contact a company licensed and permitted to handle and dispose of such materials. The TCEQ will be immediately notified if any prohibited or unauthorized wastes are accidentally accepted. Records of the notification will be kept on the site operating record and will include the date and time of notification, the individual contacted, and the information reported.

2.3 FACILITY SETTING, 330.61(C-F)

Maps showing the facility's general proximity to surrounding features are provided as Figures 1 and 2. An aerial photograph is presented as Figure 3. Figure 4 shows area land use including schools, churches, ponds, lakes, residential, commercial, and recreational areas within one mile of the facility.

The seventy acres immediately surrounding the facility is owned by Mr. Malone and is undeveloped or used for storage of parts and materials used for his other businesses. The area to the north of the facility is mostly rural residential with commercial development along Washington Street. Land approximately one-half mile to the southwest of the facility is agricultural. Land to the south is rangeland. The Prairie Dog Town fork of the Red River is approximately one-half mile to the southeast of the facility.

Airports located within 6 miles of the site are Blue Sky Airfield, located approximately 0.8 miles to the west of the facility, River Falls Airport, located about 4.4 miles to the east-northeast of the facility, Osage Airpark, located about 4.6 miles to the north northeast of the facility, and High Plains Flying Club, located about 5 miles east northeast of the facility. All are small private fields. Rick Husband International Airport and Tradewinds Airport serve the Amarillo area. They are located 11 miles northeast and 7 miles north of the facility, respectively. This location has been the storage site of a waste transport company since the 1980s and chicken farming for a short time in the early 2000's. It is compatible with surrounding land use.

No archaeological sites, historical sites or sites with exceptional aesthetic qualities have been identified adjacent to the facility. A coordination letter was submitted to the Texas Historical Commission (THC) with a response that no historical properties would be affected.

A topographic map is presented as Figure 2, and a wind rose plot depicts the prevailing southwesterly wind direction in Figure 6. The site layout plan is contained in Figures 8 and 9.

Runoff from the site generally flows south and eastward toward Timbercreek Canyon, approximately 0.5 miles to the south and east.

2.4 IMPACT ON SURROUNDING AREA 330.61(G-H)

The facility will not adversely impact human health or the environment and is compatible with existing land use and growth patterns as described in the following sections.

2.4.1 Land Use Setting

The land use within one mile of the site is generally described in Section 2.3 above and is shown in Figure 4. Except for Mr. Malone's house, the nearest residential area is about ¼ mile north of the facility.

The only structures or inhabitable buildings within 500 feet of the facility is Mr. Malones house. There are approximately one hundred and twenty residences within a one-mile radius of the facility, mostly to the north. There are currently six commercial operations along Washington Street, approximately one-half mile to the west of the facility. Crossroads Country Church is located on Washington Street approximately one-half mile to the west of the facility. There are no schools or cemeteries within one mile of the facility. No known historic structures or sites, no reported archaeologically significant sites or sites having exceptional aesthetic quality were reported within a one-mile radius of the facility.

2.4.2 Growth Trends and Zoning

The facility is located in the unincorporated County area southeast of Amarillo and there is no zoning. According to the United States Census Bureau Quick Facts for the City of Amarillo, the population of the city grew approximately 5.09% from 2010 to 2020. The general growth pattern for Amarillo is to the southwest, away from the facility. Growth on the southeast side of Amarillo where the facility is located has been slow.

2.5 TRANSPORTATION 330.61(I),

Figure 1 and Figure 2 show local roads and highways in the area near the facility. Vehicular traffic entering and/or leaving the facility will approach from the north and south via FM 1541, aka Washington Street; access from the east, west, and Washington Street will be via McAfee Road; access to the facility from McAfee Road will be along Gettysburg Road, a private road on property owned by Willis Malone, a Managing Member of the LLC.

Washington Street and McAfee Road are paved, two-lane roads; Gettysburg Road is an all-weather road, surfaced with crushed asphalt.

The 2021 and projected 2041 annual average daily traffic (AADT) from TXDOT is displayed on Figure 7. The 2041 traffic is projected to increase 40% on I-27 (about 5 miles to the east) and FM 1541 and FM 1151 (about 2 miles to the north). Traffic on FM 1541 (about 1.5 miles south) is projected to increase 22%.

The volume of site traffic on access roads within one mile of the facility may be up to about 30 vacuum trucks a day plus ten (5) employee/service vehicles, for a total of 35 vehicles per day along Washington Street and McAfee Road.

Since the volume of traffic will normally consist of only about 35 vehicles per day, no proposed roadway improvements are necessary.

Impacts to airports are not significant and not applicable because this is not a MSW landfill.

2.6 GENERAL GEOLOGY AND SOILS STATEMENT, 330.61(J)

The facility is in an area southeast of Amarillo in Randall County, Texas, in the southern part of the High Plains. The topography of the area surrounding the property is predominantly flat rangeland at an elevation of approximately 3606 feet above mean sea level.

According to the United States Department of Agriculture Soil Conservation Service (USDA SCS SS) "The High Plains is a nearly level, treeless plain that is part of a vast apron of material that was washed from the Rocky Mountains, mainly during the Pliocene epoch. This material, known as the Ogallala formation, was later mantled with eolian and loessal sediments that formed the present smooth, gradually sloping plain." The soils in the upper portion of the Ogallala in the area are clay loams overlying the water bearing sands of the formation.

USDA SCS SS indicates that a portion of the facility buildings lie atop Pullman clay loam (PuA) and the remainder over Manson loam (MnB). Soils to the east and southeast are Plemons loam (PnC) while soils to the north, west and south are Pullman clay loam (PuA).

The Pullman association is “nearly level to gently sloping, deep soils that have a loamy surface layer and a firm clay subsoil.” It is defined as having 0 to 1 percent slopes and is “a smooth, featureless plain that is dotted by many saucer-shaped depressions, or playa lakes.” One such depression is located approximately one-half mile to the north of the facility, and another is located approximately one mile to the west of the facility. “These playas catch most of the runoff from heavy rains and also irrigation tail waters. The soils in this association formed in material deposited by wind on the High Plains. The native vegetation was mid and short grasses.”

“Pullman soils are on the higher lying, broad upland plains. They have a dark grayish-brown, neutral clay loam surface layer about 6 inches thick. The upper part of the subsoil is dark grayish-brown to brown, very firm clay about 46 inches thick.” The soils specific to this facility have not been tested but, in general, the Pullman clays have a very low permeability.

The Manson loam is a minor soil in the Pullman Association, and typically “occupy the more sloping upper rim of the playas.” This soil is defined as having 1 to 3 percent slope. These soils may have formed as the result of the Prairie Dog Town fork of the Red River to the east.

The Plemons loam “consists of very deep, well drained, moderately permeable soils that formed in calcareous, loamy sediments derived from the upper part of the Ogallala Formation of Miocene-Pliocene age. These soils are on gently to strongly sloping valley sides, draws, or broad erosion remnants.” The soil near the facility is defined as having 3 to 5 percent slopes.

Data for fault areas, seismic impact zones, and unstable areas are not applicable to this Type V facility.

2.7 SURFACE WATER AND GROUNDWATER 330.61(K)

Site Specific Groundwater Conditions [330.61(k)(l)]:

The major water-bearing geologic unit of interest at this site is the Ogallala formation consisting of interbedded sand, silt, clay, gravel, and caliche. The base of this formation is primarily coarse alluvial clastic material. The source of these materials was the erosion of the Tertiary uplifts in the Rocky Mountains to the west. The fining upward sequence generally becomes eolian. Beneath the Ogallala lies the “Red Bed” which is the basal aquiclude of the groundwater.

The static water level at this site occurs within generally unconfined sands at approximately 250 feet below ground level.

Surface Water Near Site [330.61(k)(2)]:

The property generally has a gentle slope (approximate 0 – 3 percent) towards the east-southeast towards the Prairie Dog Town fork of the Red River. There are no defined natural water retention nor drainage features on the property or on Mr. Malone’s surrounding property. There is what appears to be a former stock tank to the southeast of the processing building; it has not contained water in recent history. Storm water runoff is sheet drainage to man-made culverts and drainage ditches along McAfee Road and towards the intermittent river to the south and east.

There is one playa lake within one mile of the facility. It is typically dry except during significant rain events.

Compliance with TPDES, and Clean Water Act [330.61(k)(3)]:

No portion of the process is subject to flooding or overflowing onto the site such that it could be carried away with TCEQ’s design storm water flows. All process operations are carried out in areas protected by containment walls, curbs and/or roofs.

HPWWD will obtain the appropriate TPDES permit coverage when required, as certified in Appendix 3. Collected waters can be transported to the Amarillo WWTP (Permit TX0025810).

2.8 EXISTING AND ABANDONED OIL AND WATER WELLS 330.61(C AND L)

HPWWD has not encountered any abandoned water, oil or gas wells that are situated within the facility.

A Texas Water Development Board well search found only one report within 500 feet of the facility. The well is located approximately 400 feet south of the facility, is owned by Willis Malone, Managing Member of the LLC, and supplies water to the facility. This water well ID is 917964 and located on Grid 06-58-4. There are no other known water wells located within 500 feet of the facility and no known gas and oil wells located on the site.

2.9 FLOODPLAINS AND WETLANDS 330.61(M), 330.547, AND 330.553

The existing facility is not located in the 100-year flood zone and is indicated as Zone X (500-year flood zone) in the Federal Emergency Management Agency Flood Insurance Rate Maps Numbered 48381C0230E and 240E revised June 4, 2010 (see Figure 5).

The facility currently consists of a 50' X 100' building, equipment storage areas and access for trucks. The site is flat and contains no areas that collect water or be considered a wetland under federal, state or local criteria. As defined by §330.553(b)(2), the facility will not cause or contribute to violations of any applicable water quality standard, violate any applicable toxic effluent standard or prohibition under the Clean Water Act, jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of a critical habitat, protected under the Endangered Species Act of 1973.

2.10 ENDANGERED SPECIES COMPLIANCE 330.61(n) and 330.551

The facility consists of the existing operations buildings, equipment storage areas and access roads. The facility will not 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. The facility will not operate as a solid waste disposal facility, and 330.61(n) does not apply.

2.11 TEXAS HISTORICAL COMMISSION REVIEW 330.61(o)

The Texas Historical Commission (THC) was sent a review letter regarding the existence of known prehistoric or historical culture resources which would be affected by the existing facility. It responded that there would be no effect. A copy of the letter is provided in Appendix 6.

2.12 COUNCIL OF GOVERNMENT REVIEW 330.61(P), REVIEW OF APPLICATION BY GOVERNMENTAL AGENCIES 39.103 (C)

The Panhandle Regional Planning Commission is the State designated planning agency for solid waste management issues in the region. It has been notified and comments requested. A letter has also been sent to the Texas Department of Transportation (TxDOT). Copies of the letters are provided in Appendix 6.

Any additional documentation in response to the letters will be forwarded to the TCEQ during its review of this Application or placed in the Operating Record.

2.13 EASEMENTS AND BUFFER ZONES 330.543

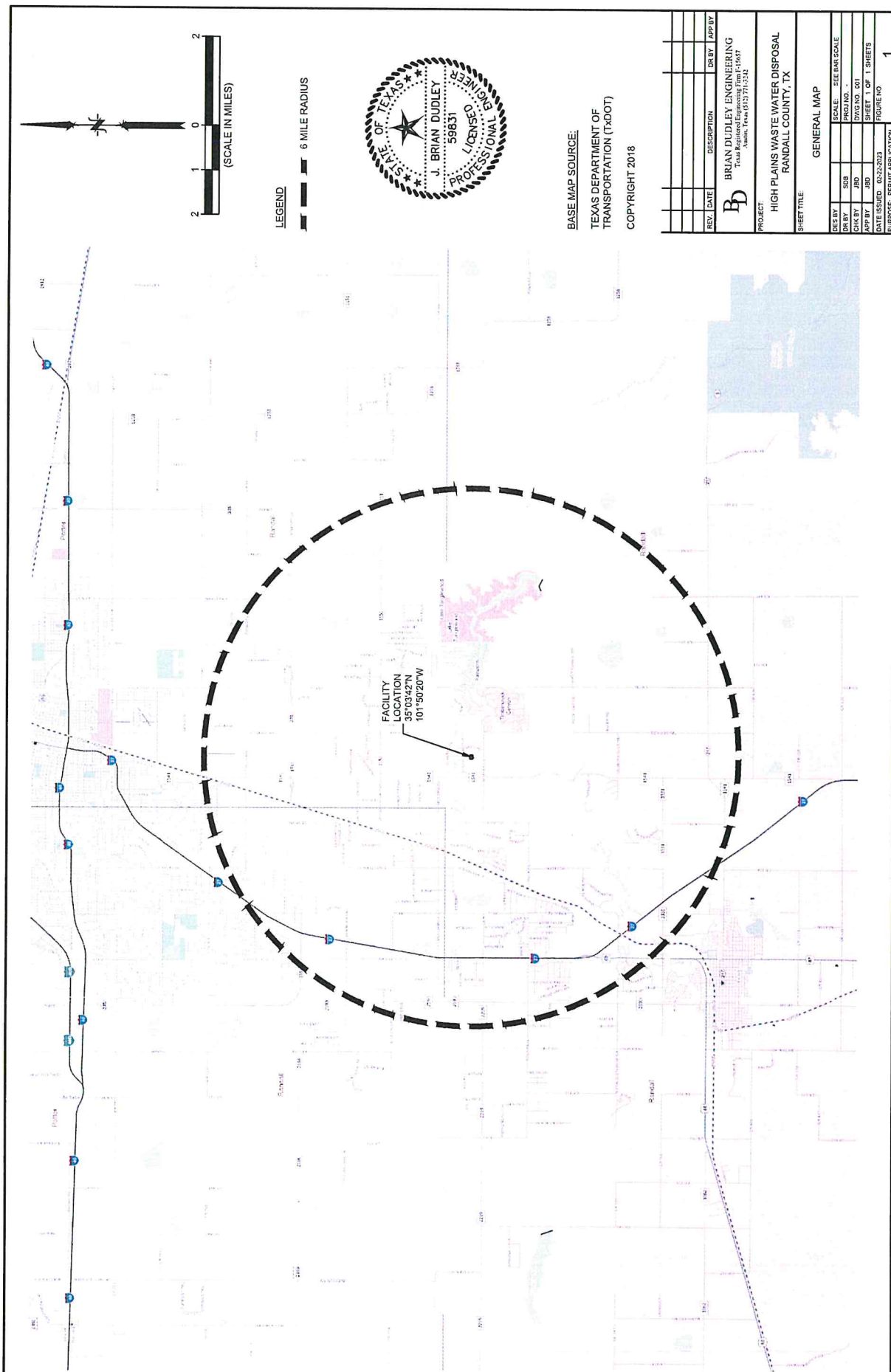
There are no easements on the site. Except for the north side, the owner or operator shall maintain a minimum separating distance of 50-feet between feedstock or final product storage areas; solid waste storage, processing units within and adjacent to the facility boundary on property owned or controlled by the owner or operator. A full 50-foot buffer zone along the north boundary near the existing building and the berm surrounding the proposed waste storage area is not needed for firefighting or emergency access to the waste management areas at the facility. HPWWD seeks TCEQ approval for a 36-foot buffer zone along the north boundary of the site.

2.14 NON APPLICABLE REGULATORY SECTIONS

- §330.61(b)(1)(B and C), waste acceptance requirements applicable only for transfer stations and landfills;
- §330.61(d)(3), applicable only for facilities with monitor wells, which is not this facility;
- §330.61(d)(7), for screening. The processing and waste is not visible from a public road;
- §330.61(d)(9), applicable only for landfill units;
- §330.61(i)(5), applicable only for landfill units;
- §330.61(j)(2), (3), and (4), applicable only for landfill units;
- §330.61(n)(2), applicable only for landfill units;
- §330.543(b)(2) and (3), applicable only for landfills and alternative buffer zone requirements;
- §330.545, airport requirements applicable only at landfills;
- §330.549, applicable only for facilities located over recharge zone of the Edwards Aquifer, which this facility is not;
- §330.553(b), is not applicable, because the facility is not located in wetlands;
- §330.555(a), applicable only for landfills and waste disposal in fault areas;

- §330.557, applicable only for landfills in seismic impact zones;
- §330.559, applicable only for landfills in unstable areas;
- §330.561, applicable only for landfills in coastal areas; and
- §330.563, applicable only for Type I and Type IV Permit issuance to landfills.

FIGURES

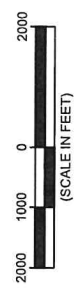
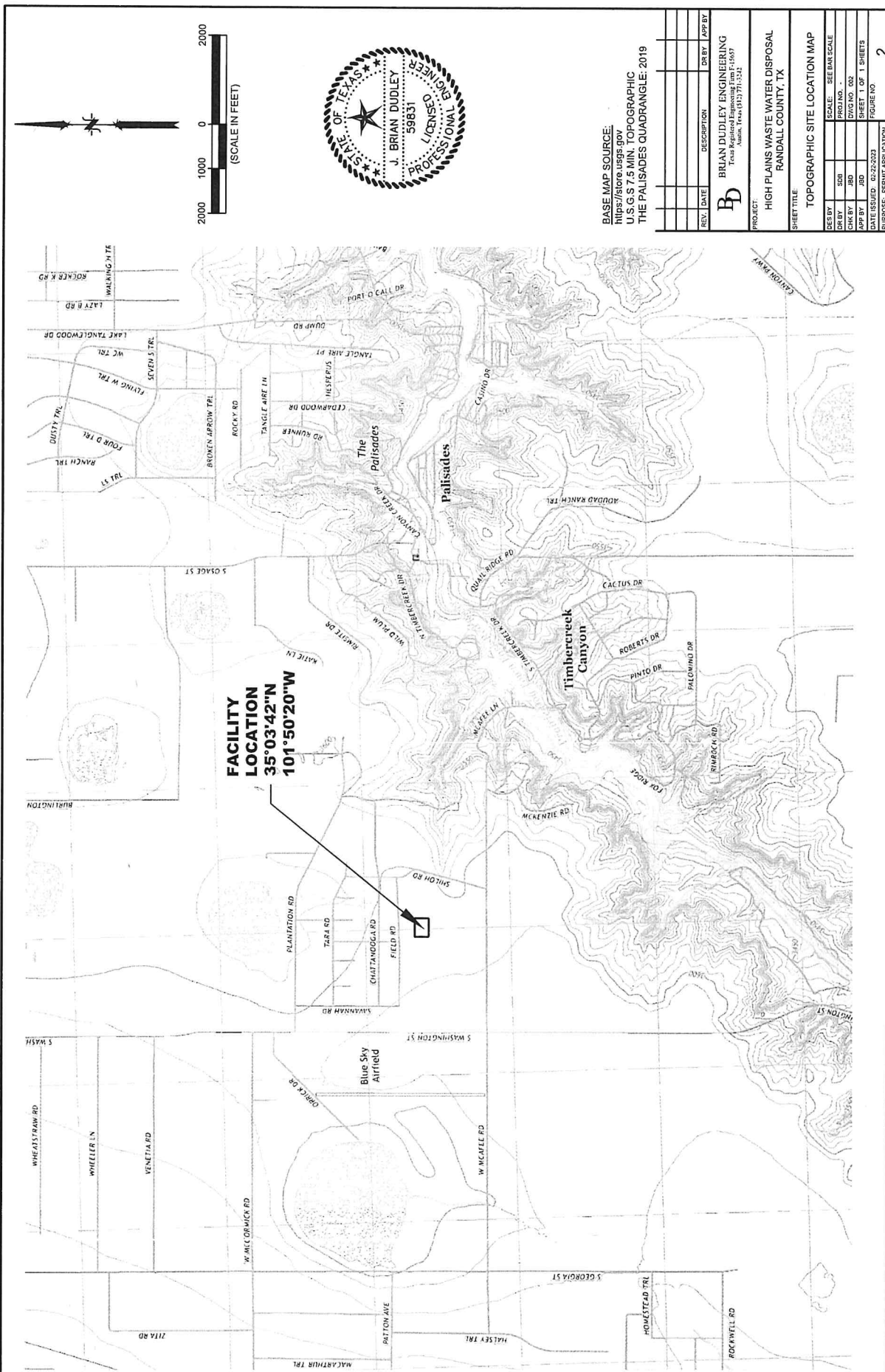


BASE MAP SOURCE:
 TEXAS DEPARTMENT OF
 TRANSPORTATION (TxDOT)
 COPYRIGHT 2018

REV.	DATE	DESCRIPTION	DR BY	APP BY

 BRIAN DUDLEY ENGINEERING Texas Registered Engineering Firm #15657 Dallas, TX 75243-3924			

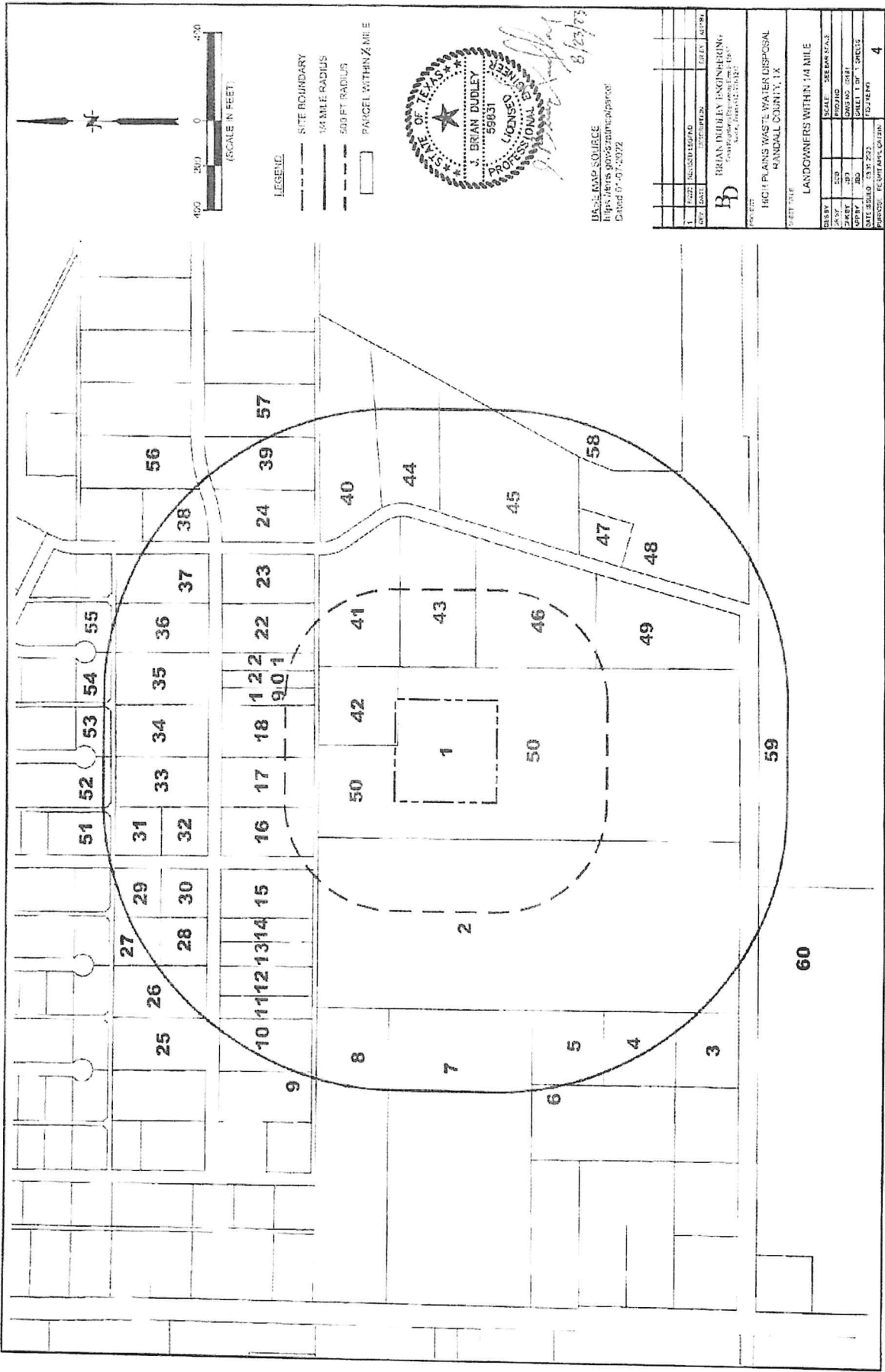
PROJECT:	HIGH PLAINS WASTE WATER DISPOSAL
SHEET TITLE:	RANDALL COUNTY, TX
GENERAL MAP	
SCALE:	SEE BAR SCALE
PROJ. NO.:	
DWG. NO.:	001
SHEET 1 OF 1 SHEETS	
DATE ISSUED:	02-22-2023
FIGURE NO.	1
PURPOSE:	PERMIT APPLICATION



BASE MAP SOURCE:
<https://store.usgs.gov>
 U.S.G.S 7.5 MIN. TOPOGRAPHIC
 THE PALISADES QUADRANGLE: 2019

REV.	DATE	DESCRIPTION	DR BY	APP BY

BRIAN DUDLEY ENGINEERING <small>Texas Registered Professional Engineer License No. 15667 Austin, Texas 78703-1912</small>	
PROJECT: HIGH PLAINS WASTE WATER DISPOSAL RANDALL COUNTY, TX	
SHEET TITLE: TOPOGRAPHIC SITE LOCATION MAP	
DESIGNED BY: SDB	SCALE: SEE BAR SCALE
DRAWN BY: JBD	PROJ. NO.:
APP. BY: JBD	DWG. NO.: 002
DATE ISSUED: 02-22-2023	SHEET 1 OF 1 SHEETS
FIGURE NO.	FIGURE NO. 2
PURPOSE: PERMIT APPLICATION	



BASE MAP SOURCE
 Hills, Texas geographic information system
 Dated 5-17-2022

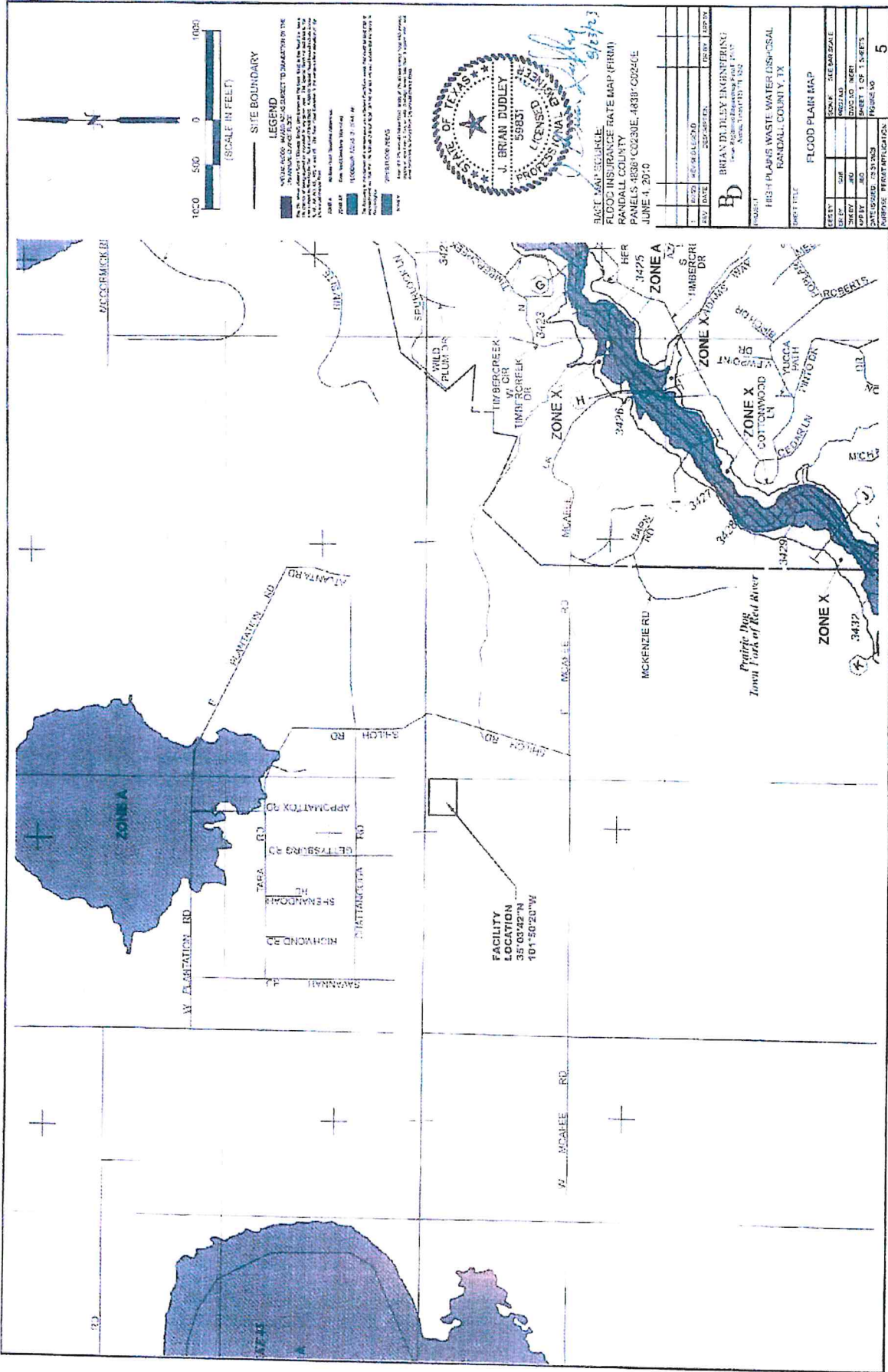
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	08/21/23	BD

BD
 BRIAN DUDLEY ENGINEERING
 10000 West Loop West, Suite 1000
 Houston, Texas 77042
 PHONE: 281.465.0123

PROJECT TITLE
 HIGH PLAINS WASTE WATER DISPOSAL
 RANDALL COUNTY, TX

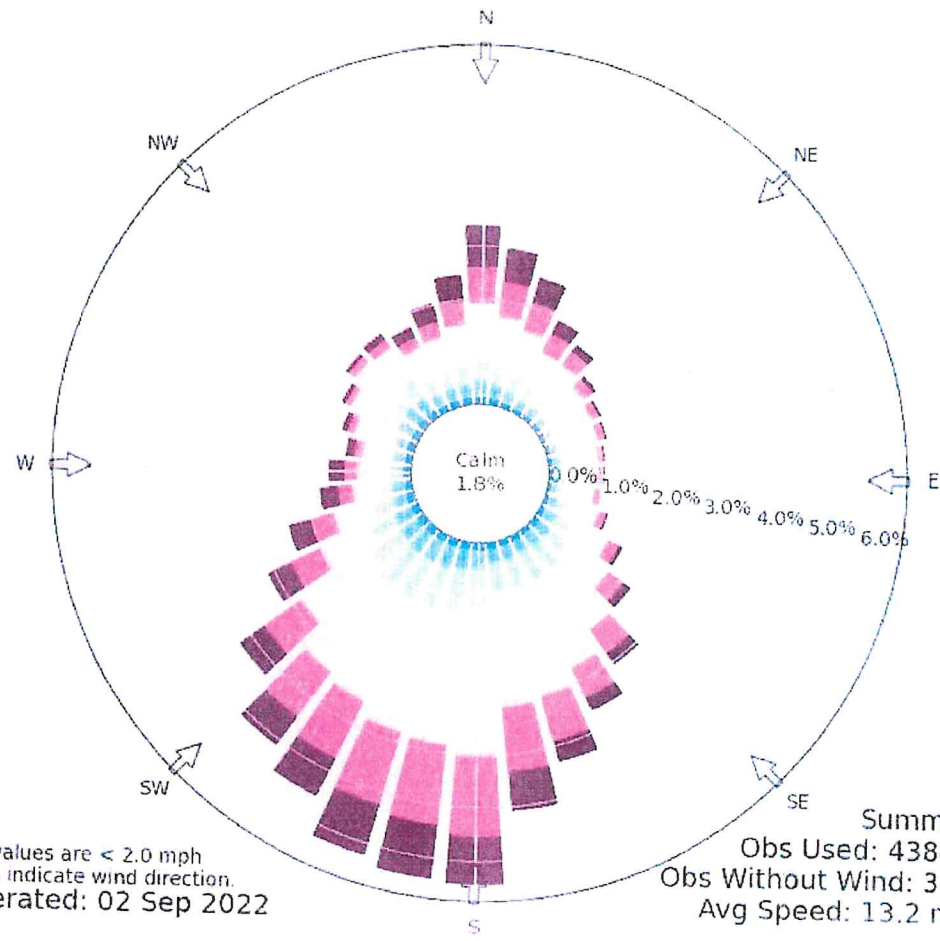
DATE	SCALE	BY	CHKD	DATE	SCALE	BY	CHKD
08/21/23	AS SHOWN	BD	BD				

LANDOWNERS WITHIN 1/4 MILE
 SEE PARCEL SHEET





Windrose Plot for [AMA] AMARILLO ARPT(AWOS)
 Obs Between: 01 Jan 1970 03:00 AM - 01 Sep 2022 06:53 PM America/Chicago



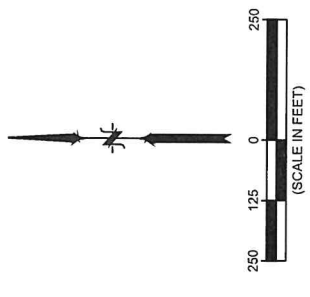
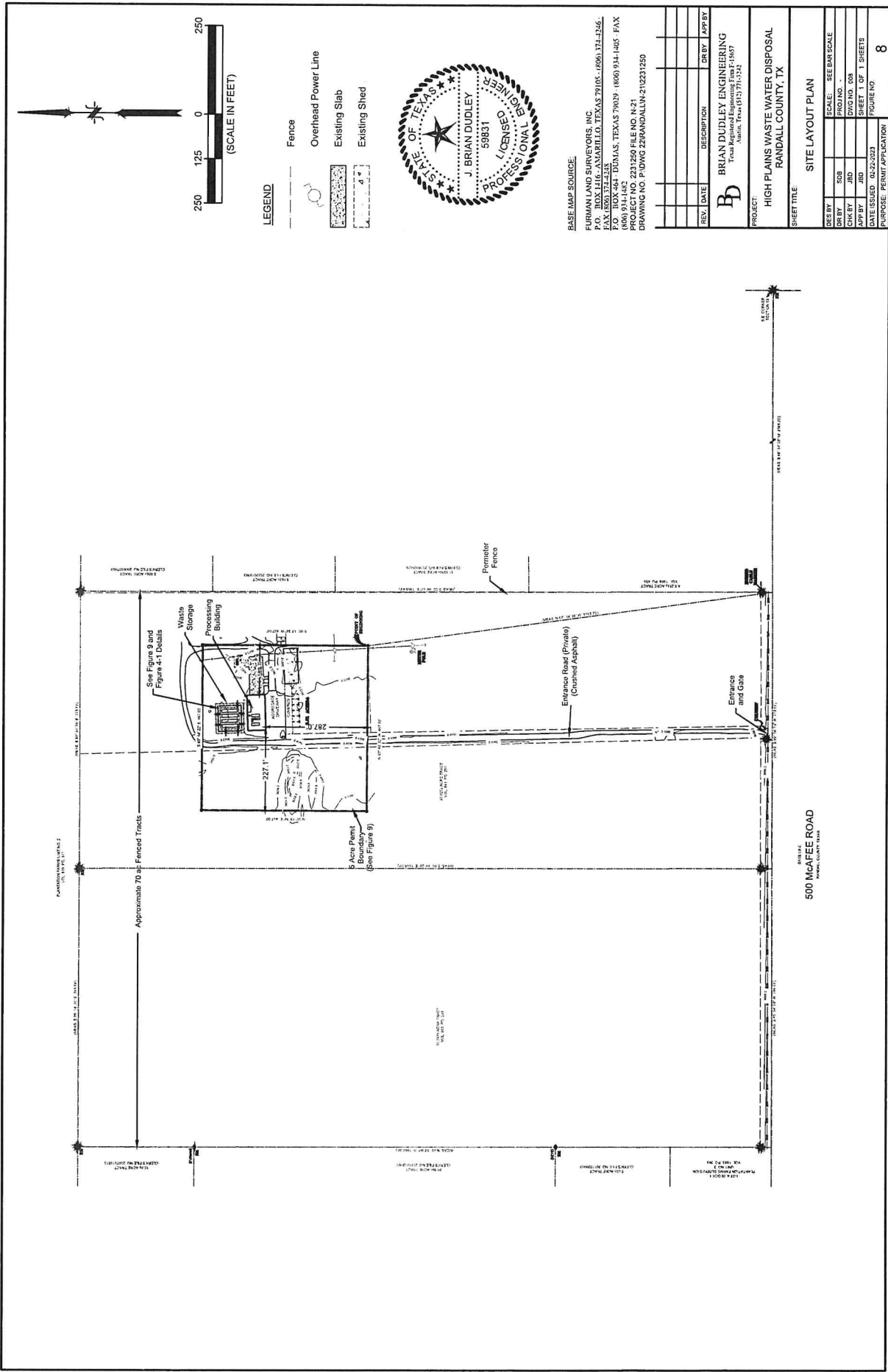
Calm values are < 2.0 mph
 Arrows indicate wind direction.
 Generated: 02 Sep 2022

Summary
 Obs Used: 438408
 Obs Without Wind: 3859
 Avg Speed: 13.2 mph

Wind Speed [mph]
 2 - 4.9 5 - 6.9 7 - 9.9 10 - 14.9 15 - 19.9 20 +



REV.	DATE	DESCRIPTION	DR BY	APP BY
BRIAN DUDLEY ENGINEERING Texas Registered Engineering Firm F-15657 Austin, Texas (512) 771-3342				
PROJECT HIGH PLAINS WASTE WATER DISPOSAL RANDALL COUNTY, TX				
SHEET TITLE WIND ROSE PLOT				
DLS BY		SCALE:	SEE BAR SCALE	
DR BY	SUB	PROJ NO.	-	
CHK BY	JBD	DWG NO.	006	
APP BY	JBD	SHEET	1 OF 1 SHEETS	
DATE ISSUED: 02-22-2023		FIGURE NO.		
PURPOSE: PERMIT APPLICATION		6		



LEGEND

	Fence
	Overhead Power Line
	Existing Slab
	Existing Shed



BASE MAP SOURCE:

FURMAN LAND SURVEYORS, INC.
 1000 W. WILSON, MARCELLO, TEXAS 79005-1246
 P.O. BOX 464, DIMAS, TEXAS 79029 (800) 914-1405 FAX
 (800) 914-1402 2331250 FILE NO. N-21
 DRAWING NO. PUDWG 228RANDALLIN-212231250

REV.	DATE	DESCRIPTION	DR BY	APP BY

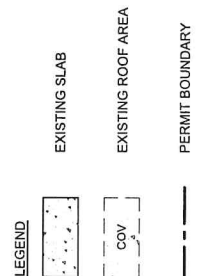
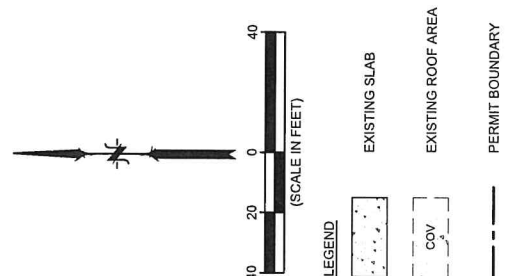
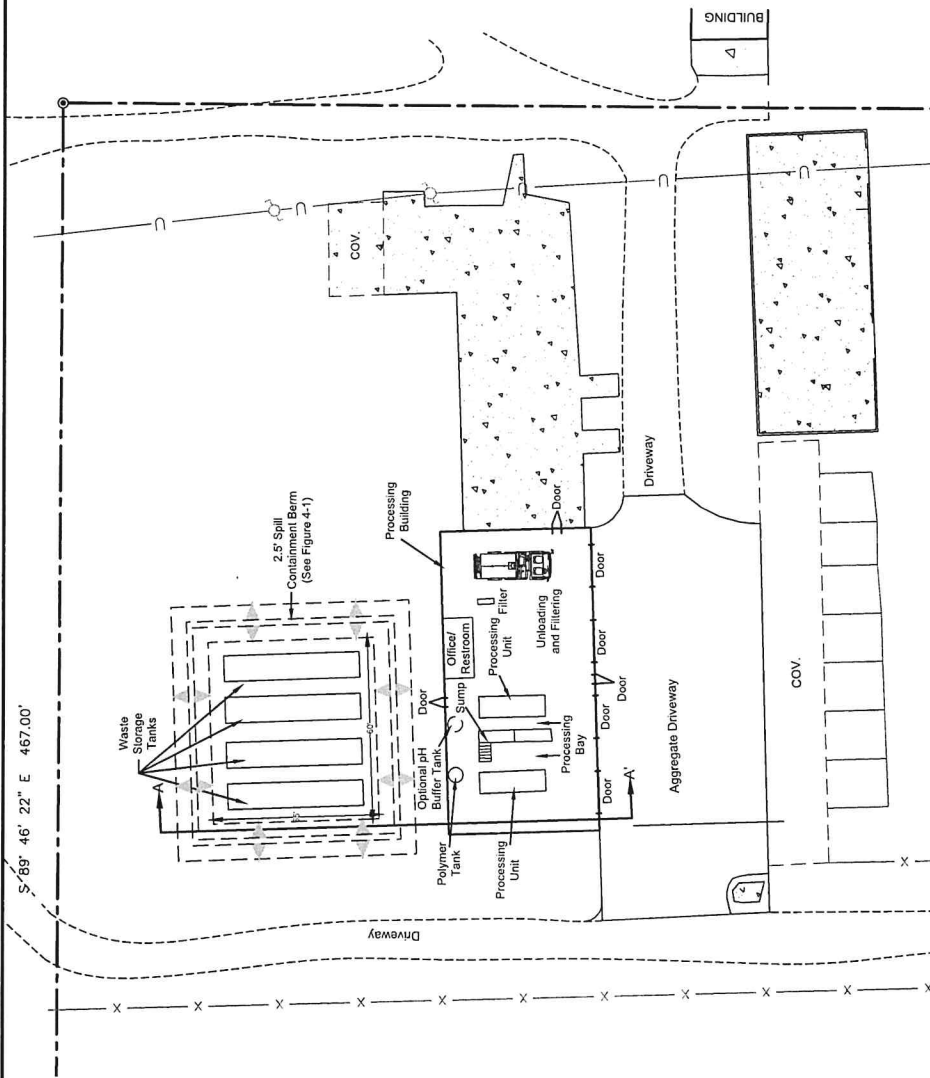
B
BRIAN DUDLEY ENGINEERING
 Texas Registered Engineering Firm # 11867
 Dallas, Texas (214) 771-5242

PROJECT:
 HIGH PLAINS WASTE WATER DISPOSAL
 RANDALL COUNTY, TX

SHEET TITLE:
 SITE LAYOUT PLAN

DRS BY	SCALE	SEE BASE SCALE
DR BY	SOB	PROJ NO. -
CHK BY	JRD	DWG NO. 008
APP BY	JRD	SHEET 1 OF 1 SHEETS
DATE ISSUED	02-22-2023	FIGURE NO.
PURPOSE: PERMIT APPLICATION		8

500 MCAFEE ROAD
 RANDALL COUNTY, TEXAS



BASE MAP SOURCE:
 FURMAN LAND SURVEYORS, INC.
 1400 W. WYOMING ST., SUITE 100
 MARSHALL, TEXAS 79201 (806) 571-4246
 FAX: (806) 571-4245
 P.O. BOX 464 - DUMAS, TEXAS 79029 (806) 934-005 - FAX
 (806) 934-1482
 PROJECT NO. 2011050 FILE NO. N-21
 DRAWING NO. PDWG 22000/ALLEN-12231250

REV.	DATE	DESCRIPTION	DR BY	APP BY

B BRIAN DUDLEY ENGINEERING
 Texas Registered Engineering Firm F-1667
 Austin, Texas (512) 711-5542

PROJECT:
 HIGH PLAINS WASTE WATER DISPOSAL
 RANDALL COUNTY, TX

SHEET TITLE
 SITE LAYOUT PLAN

DES BY	SCALE	SEE BAR SCALE
DR BY	SDB	PROJ NO. -
CHK BY	JBD	DWG NO. 005
APP BY	JBD	SHEET 1 OF 1 SHEETS
DATE ISSUED	05-25-2013	FIGURE NO.
PURPOSE: PERMIT APPLICATION		9

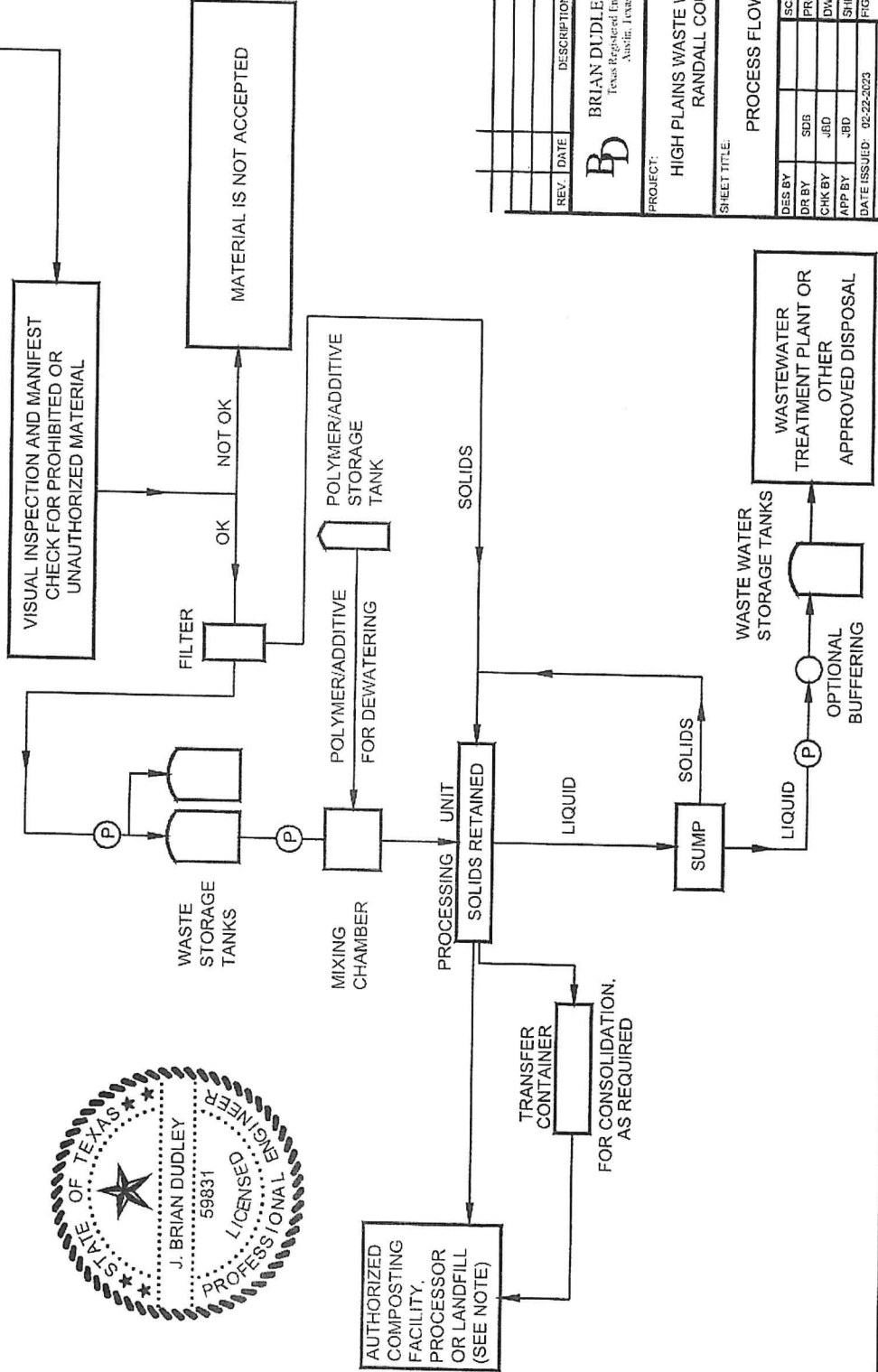
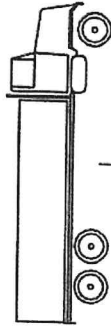
Cross Section A-A
 Scale: 1" = 20'

NOTE: IF SOLIDS WILL BE COMPOSTED, GRIT TRAP WASTE WILL EITHER BE HANDLED SEPARATELY FROM OTHER WASTES, OR IT WILL BE TRACKED THROUGH THE PROCESS SO THAT ANY MATERIAL RECOVERED CONTAINING ANY GRIT TRAP SOLIDS OR LIQUIDS WILL NOT BE TRANSPORTED TO A COMPOST FACILITY.



(P) DENOTES PUMP

LIQUID WASTE DELIVERY BY TRUCK



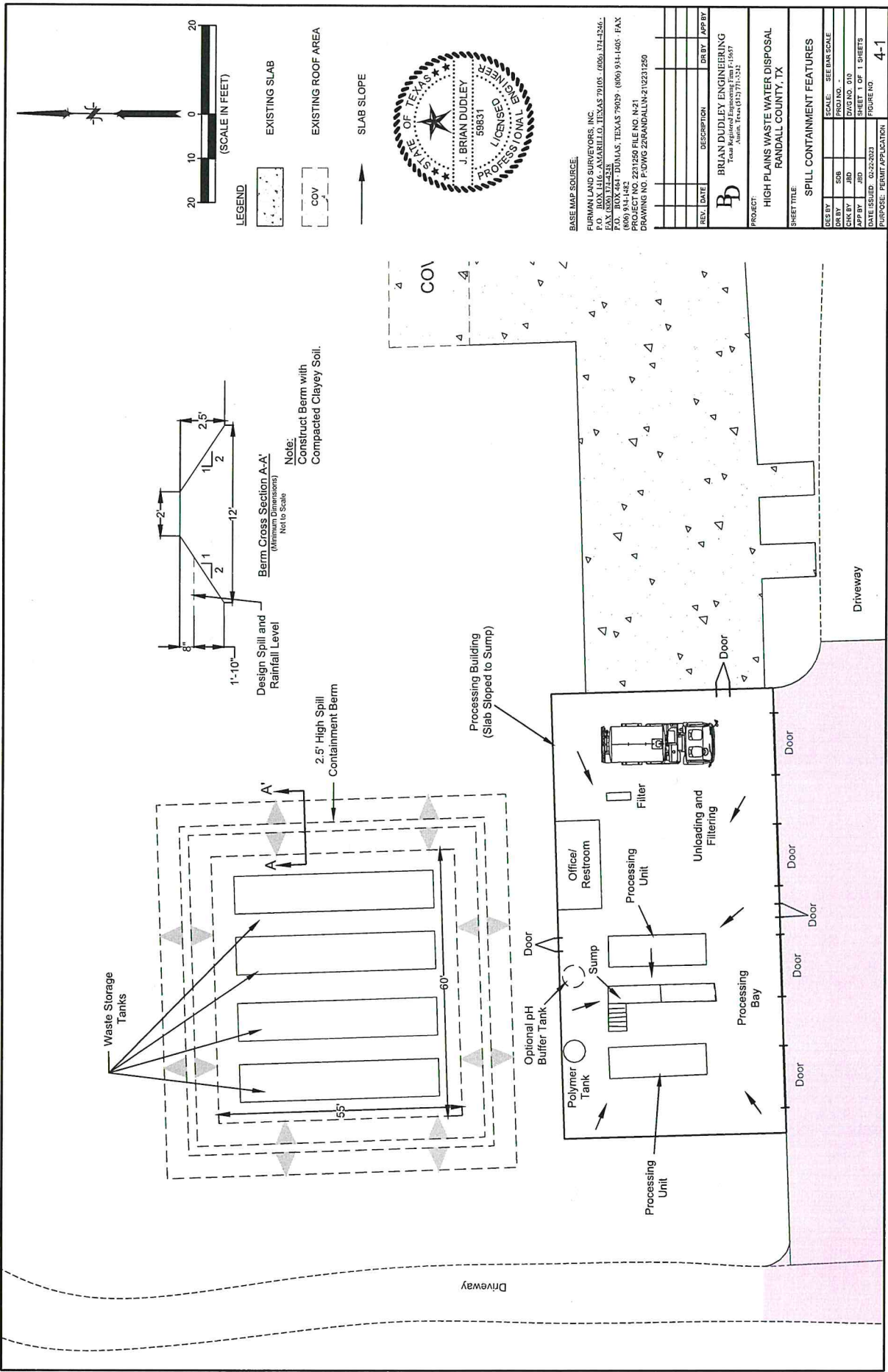
REV.	DATE	DESCRIPTION	DR BY	APP BY

BD BRIAN DUDLEY ENGINEERING
 Texas Registered Engineering Firm F-15657
 Austin, Texas (512) 771-3242

PROJECT: HIGH PLAINS WASTE WATER DISPOSAL
 RANDALL COUNTY, TX

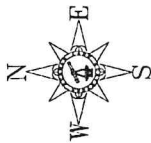
SHEET TITLE: PROCESS FLOW DIAGRAM

DES BY	SDB	SCALE	SEE BAR SCALE
DR BY	JBD	PROJ. NO.	
CHK BY	JBD	DWG. NO.	011
APP BY	JBD	SHEET	1 OF 1 SHEETS
DATE ISSUED	02-22-2023	FIGURE NO.	10
PURPOSE: PERMIT APPLICATION			

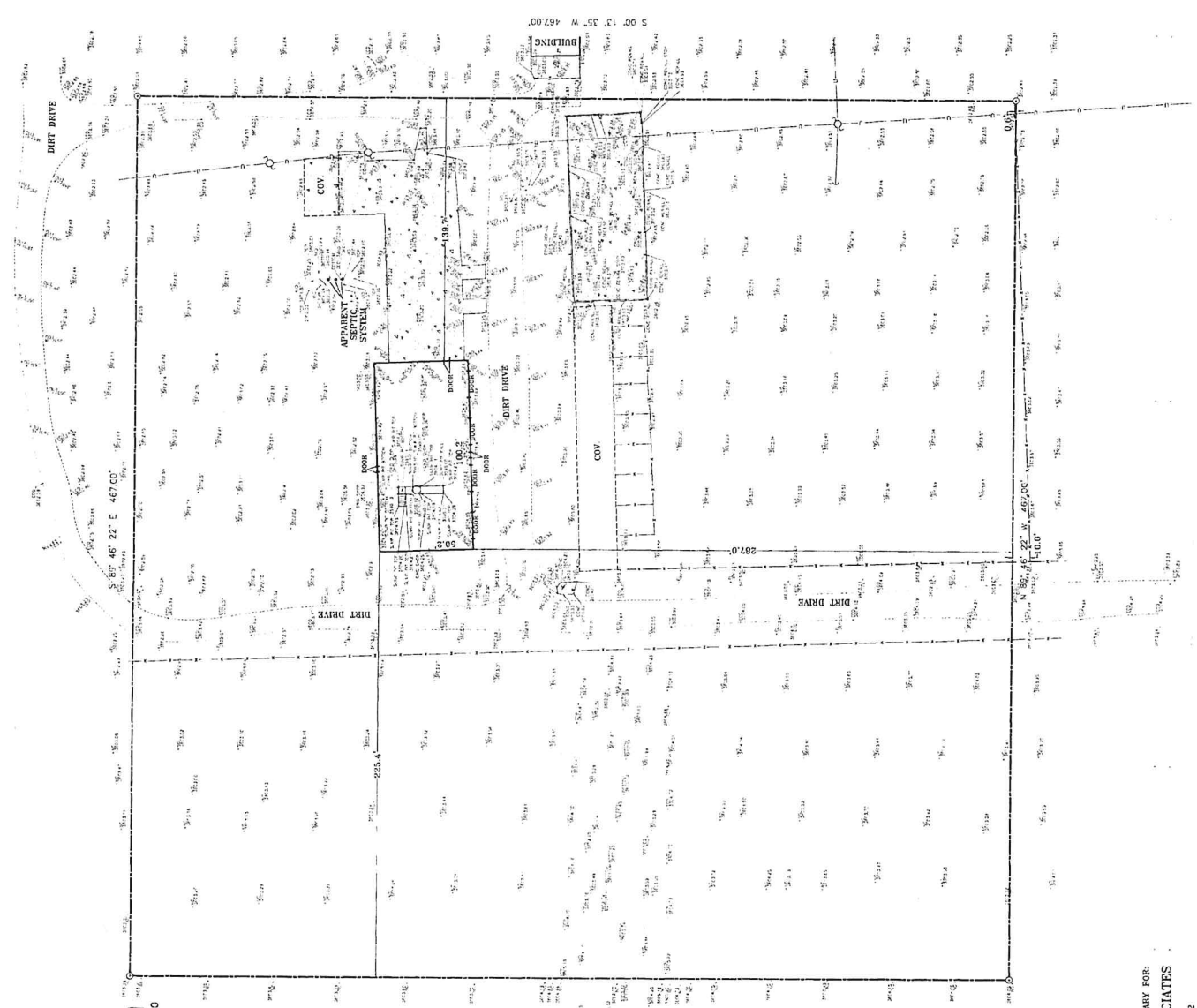


APPENDICES

**APPENDIX 1
SURVEY PLAT WITH LEGAL DESCRIPTION,
EXISTING FACILITY ELEVATIONS,
SURVEY OF EXISTING FACILITIES AT THE SITE**



- LEGEND:
- OVERHEAD UTILITY LINES
 - 600 NAIL SET
 - CONCRETE
 - UTILITY POLE
 - COVERED AREA
 - GUY DOWN WIRE
 - EDGE OF ROAD
 - FENCE



NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. shall retain the right to use the survey for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and title insurance for the property hereon. This plat is not to be used for any other purpose without the original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2022.
3. No investigation or independent search for encumbrances of record, or other facts that an accurate and current title search may disclose have been made by this Surveyor.
4. The tract of land surveyed and shown hereon is not platted. It may be subject to the State Tax and Churn regulations. This surveyor suggests that the City of Amarillo Planning and Zoning Department be consulted about these rules, regulations and any requirements that this property may be subject to.
5. The 5.01+/- acre tract created by this survey is land locked with no access to a public road. It is this surveyor's understanding that this tract is to be for leasing purposes only by current owner who does have access to a public road.
6. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground containers and/or facilities which may affect the use or development of this tract.
7. Vertical data per ground survey.
 Originating Benchmark:
 1/2" Iron rod w/ cap, stamped "FURMAN RP15"
 Elevation = 3606.79 (NAVD 86)
 OPUS Solution Report 051060040367917 Date: 10/17/2022

DESCRIPTION - PERMIT BOUNDARY TRACT

A 5.01 acre tract land locked tract of land in Section 13, Block G, I. & G.N. RR Co. Survey, Randall County, Texas, and being a portion of a 35.025 acre tract of land as described in that certain instrument of conveyance recorded in Volume 061, Page 294 of the Deed Records of Randall County, Texas, said 5.01 acre tract of land here surveyed on the south by said 5.01 acre tract of land here surveyed on the north by being more particularly described by notes and bounds as follows:
 COMMENCING at a point in the South line of said Section 13, at the Southeast corner of said Section 13, at the Southeast corner of a "w" cut found in concrete as called for at the Southeast corner of said Section 13 bears North 89° 34' 59" East, 2309.20 feet and from whence a 1/2 inch iron rod found at the Northeast corner of said 35.025 acre tract of land bears North 00° 04' 07" West, 1955.93 feet; thence North 07° 38' 36" West, 1153.75 feet to a 604 nail set at the Southeast and BEGINNING CORNER of the herein described tract of land; thence North 89° 46' 22" West, 467.00 feet to a 60d nail set at the Southwest corner of this tract of land;
 thence North 00° 13' 34" East, 467.00 feet to a 60d nail set at the Northwest corner of this tract of land;
 thence South 89° 46' 22" East, 467.00 feet to a 60d nail set at the Northeast corner of this tract of land;
 thence South 00° 13' 34" West, 467.00 feet to the PLACE OF BEGINNING and containing a computed area of 5.01 acres of land, more or less.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. THIS DOCUMENT HAS BEEN RELEASED BY DARYL R. FURMAN FOR REVIEW PURPOSES ONLY.
 DATE: 11/17/2022

FURMAN LAND SURVEYORS, INC.

SURVEYING - MAPPING - CONSULTING
 TECHS - KANSAS - COLORADO

DARYL R. FURMAN, PLS. DANIELA FURMAN, PLS. DONALD R. FURMAN, PLS.
 CASEY A. MANN, PLS. - LANDON M. STOKES, PLS.
 CHASE ROME, PLS. - LEONARD A. McLAUGHLIN, SR.
 P.O. BOX 1116 - AMARILLO, TEXAS 79102-0116
 TEL: 806.336.1116 FAX: 806.336.1116
 PROJECT NO. 2241250 FILE NO. N-21
 DRAWING NO. PDw/ 2241250-21A/2241250-2241250

APPENDIX 2

MISCELLANEOUS ITEMS

**EVIDENCE OF LEGAL STATUS
TPDES CERTIFICATION STATEMENT
PROPERTY OWNER AFFIDAVIT
EVIDENCE OF COMPETENCY INFORMATION**

Corporations Section
P.O. Box 13697
Austin, Texas 78711-3697



Jose A. Esparza
Deputy Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING OF

High Plains Waste Water Disposal, LLC
File Number: 804112254

The undersigned, as Deputy Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Deputy Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 06/16/2021

Effective: 06/16/2021



A handwritten signature in black ink, appearing to read "Jose A. Esparza".

Jose A. Esparza
Deputy Secretary of State

Phone: (512) 463-5555
Prepared by: Linda Galaviz

Come visit us on the internet at <https://www.sos.texas.gov>
Fax: (512) 463-5709
TDD: 10306

Dial 7-1-1 for Relay Services
Document 1059265360002

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$300



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 804112254 06/16/2021
Document #: 1059265360002
Image Generated Electronically
for Web Filing

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

High Plains Waste Water Disposal, LLC

Article 2 - Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Willis E Malone

C. The business address of the registered agent and the registered office address is:

Street Address:

1900 SW 7th Avenue Amarillo TX 79106

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members. The names and addresses of the governing persons are set forth below:

Managing Member 1: **Willis E Malone**

Title: **Managing Member**

Address: **P.O. Box 32108 Amarillo TX, USA 79120**

Managing Member 2: **Tammy M Hutcheson**

Title: **Managing Member**

Address: **1900 SW 7th Avenue Amarillo TX, USA 79106**

Managing Member 3: **Kathy F Malone**

Title: **Managing Member**

Address: **P.O. Box 32108 Amarillo TX, USA 79120**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

General Purpose

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Kathy F. Malone **P.O. Box 32108, Amarillo, TX 79120**

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Kathy F. Malone

Signature of Organizer

FILING OFFICE COPY

TPDES CERTIFICATION STATEMENT

On behalf of High Plains Waste Water Disposal LLC, I, Willis Malone, Managing Member, certify that the appropriate Texas Pollutant Discharge Elimination System (TPDES) Permit coverage and any required local government stormwater permits will be obtained when required.

Willis E. Malone
(Owner Signature)

3/7/2023
(Date)

Property Owner Affidavit

I, **Willis Malone**, property owner of the **High Plains Waste Water Disposal** tract, 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 I or the 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, if required.

Willis Malone

Willis E. Malone

(Property Owner's Signature)

3/7/23

(Date)

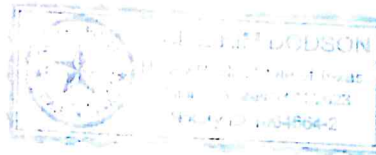
Notary Public's Certificate

Subscribed and sworn to before me, by the said **Willis Malone**, this 7th day of March, 2023 to certify which witness my hand and seal of office.

Leslie Kim Dodson

Notary Public in and for Potter County, Texas.

My Commission expires 3/11/23



Evidence of Competency Information

List of all Texas solid waste operations that the owner and operator has operated in the last 10 years

Site Name	Operation Type	Permit/Reg. No.	County	Dates of Operation
Garbage Gators	Transporter		Potter	2011-? Expired
Wrangler Pumping	Transporter	ID No. 90744	Potter	2011-Present

List of all solid waste sites in all states, territories, or countries in which the owner and operator have a direct financial interest.

Site Name	Location	Dates of Operation	Regulatory Agency (Name)
Wrangler Pumping	Amarillo, Tx	10/06/2011-Present	TCEQ

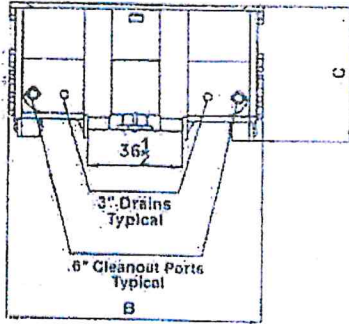
Names of the principals and supervisors of the owner's and operator's organization, together with previous affiliations with other organizations engaged in solid waste activities.

Name	Previous Affiliation	Other Organization
Willis Malone	President	Wrangler Pumping

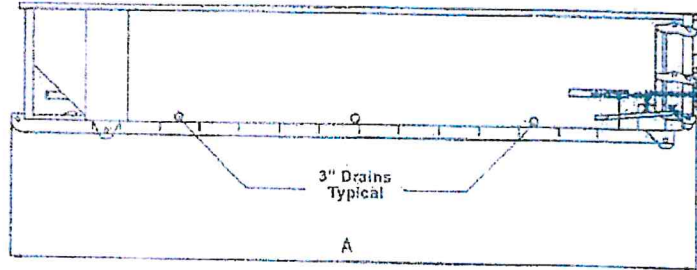
**APPENDIX 3
TYPICAL STORAGE TANK AND PROCESSING EQUIPMENT
INFORMATION**

Roll Off Container Filters

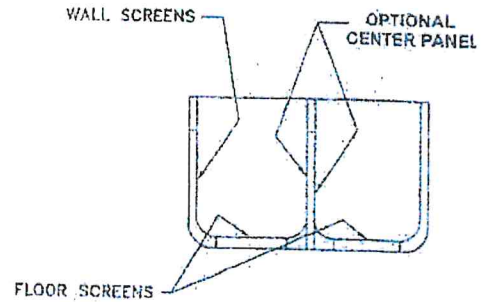
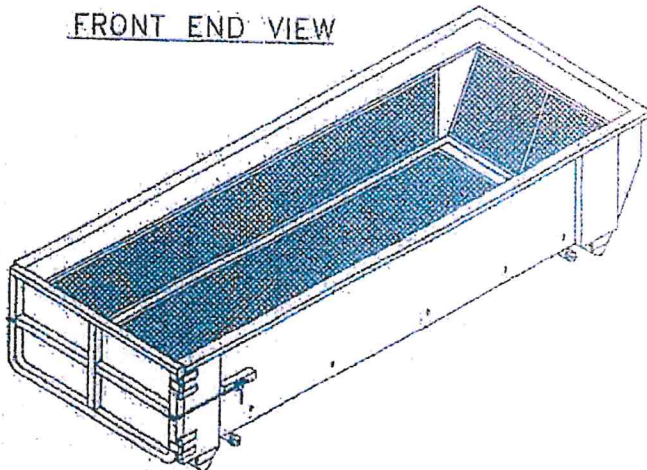
VOLUME	A	B	C
30 YD ³	271	90	71



FRONT END VIEW



SIDE VIEW



TYP CROSS SEC

FILTER SCREEN DATA:

STANDARD APPLICATION OF FILTER MEDIA IS INSTALLED ON SIX SIDES WITH THE FOLLOWING:
 MONOFILAMENT-POLYESTER WITH PARTICULATE RETENTION RAYED @ 330 MICRONS MAX. ATTACHED
 TO MEDIA BACKING WITH STAINLESS STEEL STUD BUTON HEAD BOLTS & STAINLESS STEEL LOCKING
 CAP NUTS. ALL SCREENS TO BE MOUNTED FLUSH AND TIGHT WITH NO LEAKS FOR SOLIDS MIGRATION

**APPENDIX 4
SECONDARY CONTAINMENT CALCULATIONS**

APPENDIX 4

SECONDARY CONTAINMENT CALCULATIONS (330.227)

This Appendix presents the High Plains Waste Water Disposal Facility secondary containment for spilled waste and rainwater at the unloading, processing and waste storage tank areas shown in Figure 4-1. The areas are designed to control and contain spills and contaminated water from leaving the facility. Each area is designed to contain spilled waste equal to the capacity of the largest liquid storage vessel. Additionally, 4.93 inches of rain from the 25 year, 24 hour storm (NOAA, Atlas 14) is controlled by:

- preventing accumulation with a roof, or
- providing full storage capacity at the area.

The calculations for secondary containment volumes are included as Tables in this Appendix.

Waste Storage Area

The design conditions assume that the largest 21,000 gallon waste storage tank leaks and loses all the liquid volume above the height of the released liquid contained inside the storage area. The other tanks remain intact, and they displace spill volume. This volume is subtracted in the storage calculations. The storage tanks are enclosed with a 2.5 ft tall clayey soil berm which is shown in Figure 4-1. This provides sufficient capacity to contain both the spilled volume of the largest tank and water from the 25 year, 24 hour storm, and it has 8 inches of freeboard above the level of the spill.

Processing Building, Including the Indoor Truck Unloading Area

Because the building contains a roof and its slab is elevated above surrounding grade, rainwater is not a factor in spill containment. The design conditions for the processing building assumes that a 5000 gallon tanker truck leaks and loses all of the liquid. The 4,847 gallon processing units in the building remain intact, and since they are elevated above the slab, their presence does not reduce the storage capacity within the containment. An office area and two lime and polymer tanks may be present in the building which displace storage volume, and this is subtracted in the calculations. The building contains a concrete slab which is sloped from the building perimeter to

a sump near the center of the building. The sloped slab will contain 0.13 ft of liquid adjacent to the sump without a spill leaving the building. A 4847 gallon sump is located near the center portion of the building, bringing total spill capacity to 7218 gallons. This provides sufficient capacity to contain a 5000 gallon spill.

**APPENDIX 5
CLOSURE PLAN AND COST ESTIMATE**

FACILITY CLOSURE PLAN

1.0 CLOSURE REQUIREMENTS, 330.63(h), 330.459 and 330.461

No later than 90 days prior to the initiation of a final facility closure, High Plains Waste Water Disposal (HPWWD) shall, through a public notice in the newspaper(s) of largest circulation in the vicinity of the facility, provide public notice for final facility closure. This notice shall provide the name, address, and physical location of the facility, the permit number, and the last date of intended receipt of waste. HPWWD shall also make available an adequate number of copies of the approved final closure plan for public access and review. The facility will also provide a written notice to the TCEQ Executive Director of the intent to close the facility and will place this notice in the operating record.

Upon notification to the Executive Director, HPWWD will post a minimum of one sign at the main entrance and all other frequently used points of access for the facility notifying all persons who may utilize the facility or site of the date of closing for the entire facility or site and the prohibition against further receipt of waste materials after the stated date. To prevent the unauthorized dumping of solid waste at the closed facility, suitable barriers will be installed at all gates.

Within 10 days after completion of final closure activities of the facility, HPWWD will submit the certification of final closure and all necessary documents by registered mail.

All unprocessed, in-process, and processed material on-site will be evacuated to an authorized facility and remaining waste handling units and the loading/unloading/processing areas shall either be dismantled and removed off-site or decontaminated.

If there is evidence of release from the facility, the Executive Director may require an investigation into the nature and extent of the release and an assessment of measures necessary to correct an impact to groundwater.

HPWWD will complete final closure activities for the facility in accordance with the approved final closure plan within 180 days following the most recent acceptance of processed or unprocessed materials unless otherwise approved in writing by the executive director.

Within 10 days following completion of all final closure activities for the facility, HPWWD shall submit to the executive director a request for voluntary revocation of the facility permit and a documented certification, signed by an independent registered professional engineer, verifying that final closure has been completed in accordance with the approved final closure plan. The submittal to the executive director shall include all applicable documentation necessary for certification of final closure.

There will be no wastes remaining on-site after closure and no post-closure maintenance will be required.

2.0 CLOSURE COST ESTIMATE, 330.63 (j), 330.505

The following tables are a description of closure activities that would be required to be performed by a third party to close the facility. This closure cost estimate is the basis for the amount of financial assurance to be provided and assumes worst-case waste inventory conditions exist at the facility at the time of closure. The required documentation for financial assurance shall be submitted within 60 days of Permit Amendment approval and 60 days prior to initiation of Phase II operations. There are closure cost estimates included with this plan for both Phase I and II operations. The cost estimate representing actual conditions should be used at any time during the life of the facility. An increase in the closure cost estimate and the amount of financial assurance will be made if any changes to the facility conditions increase the maximum cost of closure at any time during the active life of the facility.

The financial assurance will be established and maintained for closure of the facility in accordance with TAC Chapter 37, Subchapter R, including annual inflation adjustments as required by TCEQ. Continuous financial assurance coverage for closure must be provided until all requirements of the final closure plan have been completed and the site is determined to be closed in writing by the Executive Director. Closure activities would include at a minimum the following activities:

- Sampling and removal of all waste stored on-site. Closure costs assume that all storage tanks are full of unprocessed material and all processing tanks and units are full of waste or solids. These materials will be sampled for characterization and then transported to an authorized processing or composting facility or landfill for disposal;

- Washdown of all process areas, disconnection of pumps and other equipment so unauthorized use could not occur: and
- Final cleanup of site litter and debris, securing the site and vector control.

**APPENDIX 6
COORDINATION DOCUMENTATION**

TEXAS HISTORICAL COMMISSION LETTER

TXDOT COORDINATION LETTER

PANHANDLE REGIONAL PLANNING COMMISSION LETTER

This Correspondence sent to jwa-01@suddenlink.net on 08-08-2022

Re: Project Review under the Antiquities Code of Texas
THC Tracking #202212195

Date: 08/08/2022

High Plains Waste Water Disposal, LLC
500 W. McAfee
Amarillo, TX

Description: registration of a facility to process sludge

Dear Client:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the Executive Director of the Texas Historical Commission (THC), pursuant to review under the Antiquities Code of Texas.

The review staff, led by Arlo McKee and Caitlin Brashear, has completed its review and has made the following determinations based on the information submitted for review:

Archeology Comments

- No effect on identified archeological sites or other cultural resources. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: Arlo.McKee@thc.texas.gov, caitlin.brashear@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system>.

Sincerely,

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Andersen & Associates Compliance Consultants, Inc.

March 1, 2023

Mr. Blair Johnson
District Engineer
Texas Department of Transportation
Amarillo District
8401 S. Washington St.
Amarillo, Texas 79118

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Randall County, Texas

Dear Mr. Johnson:

High Plains Waste Water Disposal, LLC is preparing an application to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste (MSW) Permit for the operation of a municipal liquid waste processing facility. The liquid processing facility will be located on approximately 5.0 acres at 500 E. McAfee Road, Randall County, Texas. The site is approximately 0.25 miles north of McAfee Road along a private road owned by Willis Malone, a Managing Member of the High Plains Waste Water Disposal, LLC. This road is known as Gettysburg Road and is an all-weather road with a crushed asphalt surface.

The private road gate at McAfee Road is approximately 0.5 miles east of the intersection of McAfee Road and Farm-to-Market Road 1541 (aka Washington Street). This intersection is approximately 4.5 miles south of the intersection of FM 1541 and Loop 335 in the southern portion of Amarillo, Texas. McAfee Road and Washington Street are two-lane asphalt paved roads maintained by the Texas Department of Transportation (TxDOT). The site is located at Latitude 35.0619667 N and Longitude 101.8417861 W. Please refer to the enclosed location map.

The subject property is un-zoned in a low density portion of Randall County. The processing facility will dewater municipal wastewater such as sludge, septage, grit trap waste and grease trap waste. Recovered solids will be trucked to an authorized area composting facility, processor or landfill. The recovered liquids will be disposed at an authorized wastewater facility. Future traffic impact is estimated to be 35 vehicles/day, which includes waste transport trucks as well as employee and visitor vehicles.

This letter is to request a letter of coordination with the TxDOT for traffic and location restrictions in accordance with TCEQ regulations at 30 TAC §330.61(i)(4). The information

APP 6-2

2318 Victoria

Amarillo, Texas 79106
L221227_TXDOT.docx

806.679.9735

Mr. Johnson
March 1, 2023
Page 2

will be used to document coordination with your agency, to show adequate road service for the facility and to show that added traffic will not adversely affect the roadway. Information regarding the adequacy of the roads in the area as well as traffic counts for roads that are under the TxDOT jurisdiction is appreciated. Please e-mail your response to me at jerryandersen@suddenlink.net.

Thank you for your time and assistance. If you have any questions or need any additional information, please contact me at (806) 679-9735 or via the e-mail address provided above.

Sincerely,

Jerry Andersen, PG

Andersen & Associates Compliance Consultants, Inc.

APP 6-3

2318 Victoria

Amarillo, Texas 79106
L221227_TXDOT

806.679.9735



5715 CANYON DRIVE, AMARILLO, TEXAS 79110 | 806.356.3261 | WWW.TXDOT.GOV

11/3/2023


Jerry Anderson, PG
Anderson & Associates Compliance Consultants, Inc.
2318 Victoria
Amarillo TX 79106

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Randall County, Texas

Mr. Anderson,

The proposal has been reviewed and the additional traffic will not adversely affect TxDOT. This proposal is approved by TxDOT. If changes occur, please contact us so we may reevaluate.

Sincerely,

DocuSigned by:

4091D73729A34DC..

Wes Kimmell, P.E.
Amarillo District Director of Operations

*Andersen & Associates
Compliance Consultants, Inc.*

March 1, 2023

Mr. Dustin Meyer
Executive Director
Panhandle Regional Planning Commission
415 S. W. 8th Avenue
Amarillo, TX 79101

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Texas

Dear Mr. Meyer:

High Plains Waste Water Disposal, LLC is preparing an application to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste (MSW) Permit for the operation of a municipal liquid waste processing facility. The approximately 5-acre site is located at 500 E McAfee Rd, Amarillo, Texas 78332 in Randall County.

Parts I and II of the TCEQ Permit Application contain general information about the project and are enclosed for your information and review for compliance with the regional solid waste plan. Other parts of the TCEQ application, which are not enclosed, contain detailed designs, operating plans and supporting documentation.

This facility plans to accept municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap and septage waste; raw sewage, lift station and chemical toilet waste; animal wastes; drinking water treatment and wastewater treatment sludge; food waste; stormwater and groundwater collection/drainage system cleanout wastes. The facility will offer an alternative to landfill and sewer plant disposal and will help keep problem liquids out of landfills and problem solids out of wastewater plants. At the proposed facility, liquid waste will be delivered via truck, checked for acceptability, and placed in the storage tanks prior to dewatering. Waste will typically be dewatered using a roll-off filtration unit. The solids will be transported to an authorized compost facility or landfill, and the separated wastewater will be disposed of at an authorized wastewater disposal facility.

If the Panhandle Regional Planning Commission has any comments regarding compliance with the regional solid waste plan, please send them to me in writing (via the e-mail address provided below). All correspondence will be included with the application to TCEQ.

APP 6-5

Mr. Meyer
March 1, 2023
Page 2

Thank you for your time and assistance. If you have any questions or need any additional information, please contact me at (806) 679-9735 or via e-mail at jerryandersen@suddenlink.net.

Sincerely,

Jerry Andersen, PG

Andersen & Associates Compliance Consultants, Inc.

APP 6-6

2318 Victoria

Amarillo, Texas 79106
L221227...Panhandle RPC

806.679.9735

From: Daphne Morcom
Sent: Tuesday, November 14, 2023 1:10 PM
To: jerryandersen@suddenlink.net
Subject: TCEQ Type V Municipal Solid Waste Permit Application Coordination

Good afternoon Mr. Andersen,

Your information was forwarded over to from our ED, Mike Peters, as I am the solid waste planner here at PRPC. Attached you will find the Plan Conformance/Permit Review paperwork that is required to be completed and presented to our Regional Solid Waste Management Advisory Committee per our Regional Solid Waste Management Plan. Please complete this and return it to me. Let me know if you have any questions.

Thanks,

Daphne Morcom
Regional Services Program Specialist
Panhandle Regional Planning Commission
PO Box 9257, Amarillo, TX 79105
415 Southwest Eighth Avenue, Amarillo, TX 79101
806.372.3381 p
806.373.3268 f
dmorcom@theprpc.org
www.theprpc.org



Find Recycling Information at the PRPC's Solid Waste web page: http://theprpc.org/Programs/SolidWasteMgmt_default.html
Find Criminal Justice Training Information at the PRPC's Law Enforcement Training website: www.plets.org

Attachment III.O

PLAN CONFORMANCE/PERMIT REVIEW

It is recommended that all MSW facilities proposed for siting in the Panhandle conform to the regional solid waste management plan. In accordance with TCEQ's MSW facility permitting requirements and other applicable state statutes (Texas Health and Safety Code and §330.61 (p)), requires an applicant to demonstrate that a review was requested from the COG. As such the COG requests that all permit and registration applications submit their paperwork for review.

A function of the Regional Solid Waste Advisory Committee (RSWMAC) is to review permit and registration applications being filed from this region to assess their conformance to the Panhandle Regional Solid Waste Management Plan. The findings of the RSWMAC are then presented to the Texas Commission on Environmental Quality (TCEQ). The RSWMAC's conformance review will be provided to the applicant with a copy sent to TCEQ at WPDIncoming@tceq.texas.gov.

The following procedures will be followed by the RSWMAC when reviewing a permit or registration application for regional plan conformance.

Timing of a Review Request: Applicants are requested to obtain a conformance review of their registration or permit application after Part 1 and Part 2 of the filing forms have been fully completed. These documents will be submitted to the PRPC as part of the review process.

Additional Required Filing Information: In addition to submitting Part 1 and Part 2 of the permit application, applicants will also be asked to submit a completed Panhandle Regional Solid Waste Plan Conformance Checklist, it is the responsibility of the applicant to demonstrate conformance with the regional solid waste plan. This then is the purpose of the regional plan checklist. The applicant will complete the form to the best of his or her ability to indicate how the proposed facility will help in promoting the goals and objectives of the regional plan. The chief administrative officer of the applicant organization must sign the form to attest to the accuracy and truthfulness of the information presented.

Requesting a Registration or Application Review: When requesting a review, applicants will submit the following documents to the PRPC:

1. Two (2) full copies of Part 1 and Part 2 of the application form; ✓
2. One (1) originally signed copy of the Panhandle Regional Solid Waste Plan Conformance Checklist; and ✓
3. One (1) copy of any other information which the applicant may view as helping to facilitate the RSWMAC review process.

This information must be submitted under a cover letter which lists the following information.

1. The chief contact person for the application;
2. The contact information for that individual;

3. The name of the engineer representing the applicant;
4. The contact information for the applicant's engineer; and
5. The contact information for the TCEQ staff person to whom all review-related correspondence should be sent. *Not Received*

The submission documents and cover letter must be addressed and delivered to the PRPC's Regional Solid Waste Management Coordinator at the following address:

Mailed Requests:

PRPC
 Attn: SW Program Coordinator
 P.O. Box 9257
 Amarillo, TX 79105

Hand-Delivered Request:

PRPC
 Attn: SW Program Coordinator
 415 West Eighth Avenue
 Amarillo, TX 79101

No RSWMAC review requests will be considered until all the required information has been submitted in its completed form.

Once it has been determined all information has been properly filed, the PRPC Regional Solid Waste Coordinator, will confirm its receipt in writing to the applicant and schedule a meeting of the RSWMAC to review the application at the earliest possible date. Applicants will be notified in writing of the application review date and are strongly encouraged to attend that RSWMAC meeting to present their application to the committee.

RSWMAC's Conformance Review Considerations: The RSWMAC will consider whether the proposed facility/permit is in conformance with the Regional Solid Waste Management Plan.

RSWMAC's Conformance Review Findings: There are three responses the RSWMAC may consider when determining the conformance of a proposed facility to the regional solid waste management plan. Those are:

1. A finding that additional information will be required before a final recommendation can be rendered.
2. A finding of conformance with the plan prompting a recommendation to the TCEQ that the application be approved as presented.
3. A finding of non-conformance, citing the areas where the non-conformance occurs, prompting a recommendation to the TCEQ that the permit or registration not be granted until the noted deficiencies are corrected.

It should be noted that this review is not an application approval or disapproval process. It is merely a means by which the RSWMAC can voice its qualified opinion of how the proposed facility conforms to the regional solid waste management plan to the body that will eventually approve or disapprove the application. It should also be noted that a final determination from the COG is not required by the Commission to reach a final determination on permit and registration applications. There is no requirement to demonstrate conformance with the Plan.

Communicating the RSWMAC's Conformance Review Findings: The PRPC's Regional Solid Waste Program Coordinator will be responsible for communicating the RSWMAC's findings in writing to all affected parties. Those findings will be communicated as follows.

An original copy of the RSWMAC's recommendation letter, signed by the current year RSWMAC chairperson, will be sent to the individual identified in the applicant's cover letter as being the appropriate TCEQ contact person. The letter will be mailed seven days following the meeting during which the RSWMAC recommendation was made allowing the applicant time, if necessary, to appeal the recommendation of the RSWMAC.

A copy of the letter will be sent to the person identified in the applicant's cover letter as being the chief contact person for the application. The letter will be mailed immediately following the meeting during which the RSWMAC recommendation was made.

A copy of the letter will be sent to the person identified in the applicant's cover letter as being the engineer representing the applicant. The letter will be mailed immediately following the meeting during which the RSWMAC recommendation was made.

Appeals Process: The RSWMAC is an Advisory Committee to the Panhandle Regional Planning Commission's Board of Directors. The PRPC Board has vested the responsibility for MSW facility application review with the RSWMAC. In general, the recommendations of the RSMAC will be final.

An applicant may appeal the disposition of its application **only** if the application review is not processed and treated in accordance with the procedures set forth in this section.

All appeals, including the specific alleged procedural violation(s), must be submitted to the PRPC Executive Director in writing. The Executive Director may then take one of the following actions:

1. Investigate the allegation and determine that the appeal is not valid. In such case, the applicant will receive in writing the basis for the decision to reject the applicant's appeal. In such case, the decision of the Executive Director is final.
2. If there is some validity to the appeal, the Executive Director will place the appeal on the agenda of the PRPC Board of Directors. The protesting applicant will be notified of the time and date of the meeting during which the Board of Directors will consider the appeal. The applicant will be given the opportunity to present his/her case directly to the PRPC Board of Directors. The Board of Directors will then render a decision on the appeal of the protesting applicant. All decisions made by the PRPC Board of Directors will be final.

Article II. An appeal can be filed at any time during the seven calendar-day period following the date on which the RSWMAC developed its recommendation. The appeal must be received by the PRPC during that timeframe. Any appeals received after that date will not be considered and the RSWMAC recommendation letter will be immediately forwarded to the TCEQ.

Article III. **Voluntary Pre-Application Review:** A potential permit or registration applicant may, at their discretion, ask to meet with the PRPC Regional Solid Waste Program Coordinator to discuss their impending application. The PRPC Solid Waste Program Coordinator will provide the potential applicant with his/her observations of

the proposed facility in relation to the regional solid waste management plan. In so doing, this may help to ensure the ultimate conformance of the proposed facility with the regional plan.

Jerry W. Andersen, PG

Professional Geologist

November 16, 2023

Ms. Daphne Morcom
Regional Services Program Specialist
Panhandle Regional Planning Commission
PO Box 9257
Amarillo, Texas 79105

RE: High Plains Waste Water Disposal

Ms. Morcom;

Enclosed, please find the requested documents and information for the referenced proposal.

Jerry Andersen, geologist, will be the chief contact person for this application:

Contact information:

Jerry Andersen, PG License 2757
15150 Penny Lane
Amarillo, Texas 79119
806.679.9735

Brian Dudley, PE will be the engineer representing thie applicant.

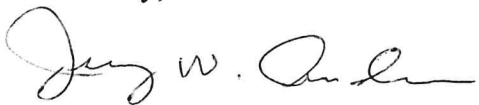
Contact Information

Brian Dudley, PE
Brian Dudley Engineering; Registered Engineering Firm F-15657
16904 Goldenwood Way
Austin, Texas 78737
512.771.3242

The contact person for the TCEQ staff person to whom all review-related correspondence should be sent will be Mr. Andersen, also (contact information above).

Thank you for your time and effort.

Sincerely,



Jerry W. Andersen, PG

PRPC

NOV 22 2023

Regional Solid Waste Plan
Performance Checklist

PANHANDLE REGIONAL SOLID WASTE PLAN CONFORMANCE CHECKLIST

This checklist is designed to assist the MSW facility permit or registration applicant in meeting the TCEQ's application requirements. Subchapter B (§ 330.61 (p) of the Texas Administrative Code states that the owner or operator shall submit documentation that Parts I and II of the application were submitted for review to the applicable council of governments for compliance with regional solid waste plans. The owner or operator shall also submit documentation that a review letter was requested from any local governments as appropriate for compliance with local solid waste plans. It should be noted that the conformance checklist is for planning but not conformance determination. A review letter is not a prerequisite to a final determination on a permit or registration application.

Article IV. The Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC) will review your application to determine if the proposed facility will conform to the Panhandle Regional Solid Waste Management Plan. The questions below pertain to the goals and objectives of that plan. Your response to these questions will provide the RSWMAC with a perspective on how your proposed facility will support the plan's goals.

All questions relating to the type of facility being permitted or registered must be answered. A response of "Not Applicable" or "N/A" **will not** be acceptable. This checklist must be fully completed and submitted to the PRPC, along with Parts 1 and 2 of your facility application, before the local conformance review process can be initiated. The certification box must be signed by the chief administrative officer of the applicant entity indicating that the information provided herein is accurate and true.

Article V. Section 1: General Applicant Information

1.1. Applicant's Name High Plains Waste Water Disposal

1.2. Is this a permit or a registration application? Permit No. 2418
(Please check the appropriate box and provide the application number.) Registration No. _____

1.3. What type of MSW facility is being registered or permitted?
(please check the appropriate box)

- Type I Landfill
 Type I AE Landfill
 Type IV Landfill
Describe "Other" below:
- Type IV AE Landfill
 Type V Facility GG
 Other (please describe)

1.4. What types of waste(s) will be accepted at your facility? Please specify any special wastes.

Municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap, and septage; raw sewage.

**Regional Solid Waste Plan
Performance Checklist**

1.5. What entity(ies) in the Panhandle region is this facility intended to serve?

Private waste water collectors (porta-potty for example)

Article VI. Section 2: Regional Planning Goal Conformance

Please provide information as to how your proposed facility will help to support or conform with the goals and/or objectives of the Panhandle Regional Solid Waste Management Plan

Article VII. Panhandle Regional Solid Waste Plan Goal #1

Develop Programs that lead to waste minimization through local source reduction, recycling and composting, which conserve disposal capacity (NOTE: Recycling includes yard waste composting)

2.1.1 Will your facility divert for recycling or beneficial reuse any of the following items? (if additional space is needed, attached an additional sheet titled "Planning Goal #2.1.1" in the upper right-hand corner of the page)

- | | |
|--|---|
| <input type="checkbox"/> White Goods | <input type="checkbox"/> Yard Waste |
| <input type="checkbox"/> Scrap Metal | <input type="checkbox"/> Construction/Demolition Debris |
| <input type="checkbox"/> Tree limbs or brush | <input checked="" type="checkbox"/> Other (please describe) |

Describe "Other" below:

Solid wastes produced during treatment will be composted when possible; water will be recycled in composting activities when possible.

2.1.2 Do you believe your facility will support this regional planning goal? If so, please explain. (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.1.2")

The goal of the facility is to recycle/reuse all treated waste water.

Article VIII. Panhandle Regional Solid Waste Plan Goal #2

Develop cost-effective and efficient solid waste management systems.

2.2.1. Per your operating plan, describe how you will achieve cost effectiveness and efficiency with your facility? (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.2.1.")

Costs will be reduced for disposal of waste water.

2.2.2. How will your facility customer base benefit from any efficiencies or cost effectiveness? (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.2.2.")

Cost to process waste water with this process will be less than current disposal methods.

2.2.3. Do you believe your facility will support this regional planning goal? If so, please explain. (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.2.3.")

Yes, costs will be reduced and there will be a reduction of material that would be taken to a landfill.

Article IX. Panhandle Regional Solid Waste Plan Goal #3

Develop programs to assist in controlling and stemming illegal and improper disposal.

2.3.1. What measures will you take to control and/or stem illegal and improper disposal? (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.3.1.")

Site will be fenced and gated. Personnel will be on-site during operating hours.

2.3.2. As part of your operating plan, please explain how you would coordinate with local entities on litter and illegal dumping cleanup projects. (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.3.2.")

waste material will be transported to the facility in vacuum trucks. Solid "trash" is not processed in this operation. There should be no litter and illegal dumping will be controlled by facility fencing and gate.

2.3.3. Do you believe your facility will support this regional planning goal? If so, please explain.

(if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.3.3.")

Yes through engineering controls.

Article X. Panhandle Regional Solid Waste Plan Goal #4

Maintain administrative structures for conformance reviews and future system operations.

2.4.1. If the proposed facility is a transfer station or some "Other" type of MSW facility, how will it be built and operated? (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.4.1.")

All treatment activities will be performed inside a 50' x 100' metal building with concrete flooring. Flooring is sloped towards a collection sump for recovery of any accidental release.

2.4.2 If the proposed facility is a landfill, what type of measures will be taken to compact the landfilled waste? What is your projected compaction ratio? _____ pounds per cubic yard. What type of equipment will you use to achieve this compaction ratio?

N/A

2.4.3. Do you plan on using Alternative Daily Cover materials or other space-savings measures that might extend the useful life of your landfill? If "Yes", please explain.

N/A

**Regional Solid Waste Plan
Performance Checklist**

2.4.4. Do you believe that your proposed facility will contribute toward this regional goal? If so, please explain. (if additional space is needed, attached an additional sheet and provide the information under a heading titled "Planning Goal #2.4.4.")

Yes

Article XI. Panhandle Regional Solid Waste Plan Goal #5

Develop programs that encourage proper disposal of household hazardous waste (HHW).

2.5.1. If the proposed facility is other than a landfill, where will the stored or processed wastes be taken for disposal?

The waste ^{and processed material} will be stored in frac tanks pending treatment. Tanks will be located in a properly bermed ^{area.}

2.5.2. If the proposed facility is other than a landfill, what, if any, type of measures will be taken to minimize, reduce, or recycle the waste, including HHW, before it is hauled off for disposal?

The purpose of this operation is to reduce and recycle the waste. Solids and liquids will be used in composting activities for repurposing.

Regional Solid Waste Plan
Performance Checklist

Section 3: Certifications

I hereby certify that the information contained herein is, to the best of my knowledge complete and accurate and that the information in fact represents the MSW facility for which this entity is requesting a TCEQ registration or permit.

Name of Applicant' Chief Administrative Officer: Willis Malone

Title of Chief Administrative Officer: Managing Member


Signature of Chief Administrative Officer

11/15/23
Date

NOTE:

PLEASE COMPLETE THIS FORM AS FULLY AND AS ACCURATELY AS POSSIBLE. YOUR COMPLETED CHECKLIST WILL BE SUBMITTED TO THE PERMITS SECTION OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ALONG WITH THE REGIONAL SOLID WASTE MANAGEMENT ADVISORY'S COMMITTEE'S CONFORMANCE REVIEW ASSESSMENT.



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 5

FY 2024 Solid Waste Grant Program Overview



PANHANDLE
REGIONAL
PLANNING
COMMISSION

MEMORANDUM

DATE: November 27, 2023
TO: RSWMAC Members
FROM: Daphne Morcom, Regional Services Program Specialist
SUBJECT: Agenda Item #5
FY 2024/2025 Solid Waste Grant Program Overview

BACKGROUND:

The RSWMAC oversees the funding of many beneficial solid waste projects throughout the Panhandle Region with the goal of extending the life of our region's landfills. Part of that process includes the review and recommendation of the policies, procedures and documents to be used for the upcoming grant cycle(s).

The following draft FY 2024/2025 Regional Solid Waste Grant Program documents are included for your review and consideration at the December 13th meeting:

- (a) FY 2024/2025 Grant Program Bylaws and Operating Procedures;
- (b) FY 2024/2025 Solid Waste Grant Application; and
- (c) FY 2024 Solid Waste Grant Program Implementation Schedule.



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 5a

FY 2024/2025 Solid Waste Grant Program Bylaws



PANHANDLE
REGIONAL
PLANNING
COMMISSION

MEMORANDUM

DATE: November 27, 2023
TO: RSWMAC Members
FROM: Daphne Morcom, Regional Services Program Specialist
SUBJECT: Agenda Item #5a
FY 2024/2025 Solid Waste Grant Program Bylaws

BACKGROUND:

Prior to the start of any Regional Solid Waste Grants Program Year, PRPC Staff will present any Bylaw changes made necessary by the new TCEQ contract for the biennium. The Bylaws will stand for the duration for the biennium, which will cover both the FY 2024 and FY 2025 grant cycles.

RECOMMENDATION:

PRPC Staff recommends the RSWMAC consider a motion to approve the use of the standing Bylaws for use in the FY 2024/2025 grant cycles.

**PANHANDLE REGIONAL
SOLID WASTE
ADVISORY COMMITTEE**

**BYLAWS AND
OPERATING PROCEDURES**

**For the Period:
FY ~~22~~24-FY ~~23~~25**

PANHANDLE REGIONAL SOLID WASTE ADVISORY COMMITTEE
BYLAWS AND OPERATING PROCEDURES

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INTRODUCTION

As directed by §361.014(b) of the Texas Health & Safety Code, one-half of the Municipal Solid Waste (MSW) fee revenue collected by the Texas Commission on Environmental Quality (TCEQ) is dedicated to grants to support regional programs and local projects consistent with the regional solid waste management plans prepared by the Council of Governments (COGs). (See Attachment #1)

All solid wastes grant funds from the TCEQ will be allocated to the COGs in the state's 24 planning regions. Under the Regional Solid Waste Grant Program, each COG will use their grant funds for the following purposes:

- Maintenance of a Regional Solid Waste Management Advisory Committee;
- As required by the TCEQ, amendment of the regional solid waste management plan;
- Maintenance and further development of the region's Closed Municipal Solid Waste landfill Inventory;
- Reviewing MSW permit applications originating from within the region for conformance with the TCEQ-approved regional solid waste management plan;
- Administration of grant-funded activities and fiscal oversight of a pass-through grants program to support local projects;
- The conduct of additional regional programs and administration of funding to local government projects that directly support implementation of the goals, objectives, and recommendations contained with the region's TCEQ-approved regional solid waste management plan.

The program-related activities of the COG will generally be carried out under the direction and oversight of the region's Solid Waste Management Advisory Committee (SWAC). Each SWAC will operate under a written set of procedures of their own making that will guide and direct the activities of the committee.

PANHANDLE REGIONAL PLANNING COMMISSION'S
REGIONAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE
BYLAWS AND OPERATING PROCEDURES

ARTICLE 1 – Intent

These operating guidelines have been developed in compliance with a requirement by the Texas Commission on Environmental Quality (TCEQ) that each Regional Council of Governments create a written set of bylaws for their Solid Waste Management Advisory Committees. The PRPC Board of Directors has given the RSWMAC the authority to adopt and utilize these guidelines with the enactment of PRPC Administrative Regulation #31.

ARTICLE 2 – Name, Purpose, and Authority

Section 1. Name: The name of this committee shall be the Panhandle Regional Planning Commission's (PRPC) Regional Solid Waste Management Advisory Committee. The acronym, RSWMAC, may also be used to reference the committee.

Section 2. Purpose: The RSWMAC is an advisory committee of the PRPC created for the purpose of overseeing the operation of the Panhandle's Regional Solid Waste Management Program. In that capacity, the RSWMAC shall give direction to the PRPC's Solid Waste Program staff.

Section 3. Authority: The RSWMAC has been established in accordance with 30 TAC §330.565(a), TCEQ Rules.

The PRPC's RSWMAC is subordinate to the PRPC Board of Directors. The RSWMAC makes recommendations to the PRPC Board. The PRPC Board is responsible for taking final action upon the RSWMAC's recommendations.

The RSWMAC's scope of authority is set forth in the PRPC's Administrative Regulation #31. That regulation is joined to and made part of these procedures. (See Attachment #2)

ARTICLE 3 – Composition, Nomination, Appointment, Terms

Section 1. Composition: The RSWMAC shall reflect a broad range of interests in solid waste management. At a minimum, the RSWMAC shall be represented by public officials, private providers of recycling and solid waste services to represent a balance of private service providers operating in the region, citizen groups and interested individuals.

The RSWMAC shall include as ex-officio members the TCEQ project manager assigned to work with the PRPC and a designated representative of the Region 1 Office of the TCEQ. PRPC Administrative Regulation #31 fixes the numeric representation of the RSWMAC's membership.

Section 2. Nominations: When the term of a current member(s) expires or can no longer be filled by that member(s), the RSWMAC may nominate individuals to serve on the committee provided; the membership composition of the committee is maintained. If for any reason the RSWMAC is unable to identify an individual(s) appropriate to fill a vacancy, the PRPC Solid Waste Program staff will seek nominations from the local governments of the region.

Section 3. Appointments: The PRPC Board of Directors will be responsible for making all appointments the RSWMAC.

Section 4. Terms: A RSWMAC member's full term will run for three years from the date of his or her appointment to the committee. However, an individual may be appointed to a shorter term if that person is filling an unexpired term of a previous committee member. No RSWMAC member may serve more than two consecutive three-year terms.

ARTICLE 4 – Officers

Section 1. Officers: The officers shall be a Chairman and a Vice-Chairman elected from among committee members at the first RSWMAC falling on or after July 31. Officers shall be elected to serve terms of one year or until such time as a successor is elected.

Section 2. Chairman's Duties: The Chairman shall call to order and preside at all meetings of the RSWMAC.

Section 3. Vice-Chairman's Duties: The Vice-Chairman shall perform the duties of the Chairman in the event of the absence or disability of the Chairman.

Section 4. Time for Elections: Election of officers will be during the first RSWMAC meeting falling on or after July 31.

ARTICLE 5 – Committees

The Chairman may appoint subcommittees of one or more members each for such specific purposes as the RSWMAC may require from time to time. The subcommittee will be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the RSWMAC.

No subcommittee will have other than advisory powers unless, by suitable action of the RSWMAC, it is granted specific power to act.

ARTICLE 6 – Meetings

Section 1. Frequency: The RSWMAC shall, to the extent practical, meet at least twice per year. The PRPC Solid Waste Program Staff will be responsible for scheduling and coordinating the meetings of the RSWMAC.

Section 2. Quorum: For the purposes of the transaction of business by the RSWMAC, a quorum shall be a simple majority of the members present. Whenever possible, decisions will be reached through consensus. When consensus is not possible, a vote will be taken. In the event of a tie vote, the tie will be broken by the presiding officer.

Section 3. Notice of Meetings: Notice or an agenda containing the time and place of all meetings of the RSWMAC shall be sent to each member at least seven days prior to the proposed meeting date. The PRPC Solid Waste Program Staff will be responsible for developing and distributing the agendas to the RSWMAC members. The meetings of the RSWMAC will be properly posted in accordance with Chapter 551 of the Local Government Code. All RSWMAC meetings will be open to the public.

Section 4. Action: An affirmative vote of the majority of all RSWMAC members present at the time shall be necessary to approve any action. The Chairman may vote upon and may move or second a proposal before the RSWMAC.

Section 5. Voting: In the event that a member is unable to attend a RSWMAC meeting, that individual(s) may send another to attend in his or her stead. However, for the purpose of that meeting, the representative(s) shall only serve in an ex-officio capacity. Only PRPC Board-appointed RSWMAC members can vote on items during a RSWMAC meeting.

Section 6. Order of Business: The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

- (a) Call to order
- (b) Approval of minutes
- (c) Committee reports (periodic as needed)
- (d) Old business
- (e) New business
- (f) Information items
- (g) Open forum

(h) Scheduling of next meeting

(i) Adjournment

As appropriate, the general meetings of the RSWMAC shall include discussion of solid waste activities in the region, solid waste management issues important to the region, new laws and regulations, opportunities for grants and funding, and other issues of concern.

Section 7. Rules of Order: Robert's Rules of Order, latest edition, shall govern conduct of meetings.

ARTICLE 7 – Areas of Oversight

Section 1. Scope: The RSWMAC's purview shall include but not be limited to the following areas of oversight related to the PRPC's Regional Solid Waste Management Program.

Section 2. Funding Plan: The RSWMAC shall direct and provide input to the PRPC's Regional Solid Waste Program Staff in developing the Regional Solid Waste Grant Program's Implementation Projects Funding Plan. The Implementation Projects Funding Plan lays out the approach that will be taken in utilizing the region's biennial allocation of TCEQ Solid Waste Program funding to further the waste reduction/waste management goals of the region.

In general, development of the Funding Plan signals the start of the Regional Grants Program Year(s). The Funding Plan identifies the prioritized solid waste planning goals to be targeted with the available Implementation Project funding, the categories of projects deemed eligible for receipt of Implementation Project funding, and the criteria that will be used to select the projects will receive Implementation Project funding.

Unless otherwise required by the TCEQ, the Funding Plan may cover a two-year period or, at the discretion of the RSWMAC, a new plan may be developed each year. The development of the Funding Plan shall be scheduled in the sequence shown so far as circumstances will permit:

In even numbered years –

- (a) PRPC Solid Waste Program Staff will develop a draft Funding Plan for presentation to the RSWMAC.
- (b) The RSWMAC will review the draft Funding Plan, revise the plan as appropriate and then, take action on allowing the PRPC Solid Waste Program Staff to take the plan out for public comment.
- (c) PRPC Solid Waste Program Staff will conduct the requisite public meeting(s) on the Funding Plan as required by the TCEQ.

- (d) Upon completion of the public comment process, PRPC Solid Waste Program Staff will re-present the Funding Plan to the RSWMAC along with any comments received during the public meeting(s).
- (e) The RSWMAC will take action on recommending that the PRPC Board of Directors approve the use of the Funding Plan for the purpose of the Regional Solid Waste Grant Program(s).
- (f) The PRPC Solid Waste Program Staff will present the RSWMAC's recommendation(s) to the PRPC Board of Directors.
- (g) The PRPC Board of Directors will take action on the RSWMAC's recommendations.
- (h) Pending the approval of the PRPC Board of Directors, the PRPC Solid Waste Program Staff will submit the Funding Plan to the TCEQ for review and comment.
- (i) Upon the receipt of written approval by the TCEQ, the PRPC Solid Waste Program Staff will begin implementation of the Funding Plan.

In odd numbered years –

- (a) The RSWMAC shall revisit the previous year's Funding Plan to determine its appropriateness for the coming year Regional Solid Waste Grant Program Year.
- (b) If the RSWMAC votes to continue using the Funding Plan for the coming year, no further action will be required.
- (c) If the RSWMAC decides to revise the Funding Plan for the coming year Regional Solid Waste Grant Program Year, then the same sequence as was followed for the even numbered year program will be repeated.

Section 3. Implementation Project Selection: The RSWMAC will be primarily responsible for recommending the Implementation Projects that will be selected for funding during any Regional Solid Waste Grant Program Year.

In accordance with the established provisions of the current year Funding Plan, the RSWMAC may recommend projects for funding on a competitive basis, non-competitive basis, or a combination thereof. In even numbered years, the RSWMAC can not recommend the funding of projects in an amount greater than the amount of Implementation Project Funds available for that year. However, in odd numbered years, the RSWMAC may recommend that additional funding be provided to projects that were originally provided funds in the even numbered year.

The Implementation Project Selection Process shall be scheduled in the sequence shown so far as circumstances will permit:

- (a) Prior to the start of any Regional Solid Waste Grants Program Year, the RSWMAC will meet to:

- Approve a proposal form that will be used by the grant applicants
 - Approve a schedule for implementing the current year Regional Solid Waste Grants Program.
 - Determine what format will be used to hear the project proposals on the day scheduled for the prioritization of the current year Regional Solid Waste Grants Program projects.
 - Direct the PRPC Solid Waste Program Staff to notify the eligible applicants in the region of the form and format that will be used to prioritize the current year's Regional Solid Waste Grants.
 - Direct the PRPC Solid Waste Program Staff to notify the private entities providing recycling and solid waste services in the region to keep them aware of the grants program and the funding process.
- (b) On the appointed date and time and at the designated location set out in the Regional Solid Waste Grants Program implementation schedule, the RSWMAC shall meet to prioritize the current year's project proposals. During the course of that meeting, the RSWMAC will:
- Ascertain from the PRPC Solid Waste Program Staff whether all the proposed projects are in compliance with §361.04(b), Texas Health and Safety Code, and 30 TAC §330.566, TCEQ Rules, which prohibit the placement of private entities providing recycling and solid waste services at a competitive disadvantage. PRPC Solid Waste Program Staff will have complied with the TCEQ's private sector notification and project pre-screening requirements prior to the meeting date.
 - Accept written or oral comments from private service providers regarding the project proposals.
 - Evaluate all projects, including any projects as may be proposed by the PRPC, in accordance with the selection criteria selected at the time the Funding Plan was developed.
 - Provide all applicants with the opportunity to orally present their project proposals to the RSMWAC.
 - Prior to each RSWMAC prioritization meeting, the PRPC's Regional Solid Waste Program Staff will by random selection, choose the order in which the applicant presentations will be made.
 - The RSWMAC members will use individual ballots to score and rank the proposed projects.
 - The RSWMAC will use an averaged rank-based scoring system for determining the prioritization of the current year projects.

- The maximum number of points that any project can receive is 100. The numeric point values shown for each criterion being used by the RSWMAC will be used to score the applications. Then, each RSWMAC member's point scores for the proposals will then be converted to an individualized ranking of how each member ranked the projects on his or her ballot. The individualized rankings of all the reviewing RSWMAC members will then be totaled and averaged based on the number of members evaluating each proposal, to create a prioritized listing of all the projects.
- As a practice, the RSWMAC will not modify nor ask the project applicants to modify their project proposal budgets on the day of the prioritization meeting.
- Prior to the conclusion of the prioritization meeting, the RSWMAC will act on a motion to accept the project rankings as identified by the average rank-based scoring system and to recommend that the PRPC Board of Directors approve those projects as ranked.
- At the conclusion of the prioritization meeting, the Chairman will direct the PRPC Solid Waste Program Staff to compile the scores.
- The Chairman will also direct the PRPC Solid Waste Program Staff to distribute those results to the RSWMAC and the current year project applicants as soon as the results have been verified.
- In prioritizing projects for funding, the RSWMAC may establish a list of additional projects from the proposals submitted, to be funded if and when additional funding becomes available.
- The prioritization of these additional projects will be in accordance with the selection procedures described in this section.

Section 4. Monitoring of Funded Implementation Projects: The RSWMAC will observe and monitor the progress made by the Solid Waste Program Grantees in completing their funded projects. The PRPC Solid Waste Program Staff will be responsible for reporting to the RSWMAC on the progress being made to implement the funded projects.

Section 5. Project Changes: The RSWMAC may elect to add funds to a project that has already been approved for funding by the PRPC Board of Directors. If the change in funding entails major modifications to the original scope of the project or modifies the originally proposed major expenditures, the project change must be approved in the same manner as the original project.

As an alternative to the conduct of a completely new project review and approval process, the RSWMAC may recommend at the time of the original project selection that the PRPC Board of Directors approve certain additional project expenditures or additional work activities, if additional project funding becomes available.

Section 6. Regional Solid Waste Plan Amendment: The RSWMAC shall provide input to the PRPC Solid Waste Program Staff during the development of any TCEQ-required Regional Solid Waste Management Plan Amendments/Updates.

At the appropriate time, the RSWMAC will review the final draft of any Plan Amendments/Updates and consider recommending that the PRPC Board of Directors approve the Plan Amendments/Updates.

Section 7. Closed Landfill Inventory: The RSWMAC shall give direction to and as appropriate, assist the PRPC Solid Waste Program with the maintenance and further development of the Panhandle Region's Closed Landfill Inventory.

Section 8. Panhandle Environmental Partnership: The RSWMAC shall direct and assist the PRPC Solid Waste Program Staff in promoting the growth of the Panhandle Environmental Partnership. The RSWMAC will review any new marketing contracts proposed for use by the Panhandle Environmental Partnership and as appropriate, make recommendations regarding the proposed agreement(s) to the PRPC Board of Directors.

Section 9. PRPC-Managed Projects: In any given year or years in which a PRPC-managed project is approved for funding, the RSWMAC shall assume oversight of that project and will give the PRPC Solid Waste Program Staff direction with the implementation of the project.

Section 10. Pre-Application Review Process: Upon request, PRPC staff shall provide prospective applicants for a TCEQ MSW facility permit or registration, proposing to construct or operate the MSW facility in the Panhandle, a preliminary, non-binding evaluation of the conformance of the proposed facility to the regional solid waste management plan. If so elected, the RSWMAC may perform the pre-application review in the stead of PRPC staff.

Section 11. MSW Facility Permit Application Review: The RSWMAC shall review permit and registration applications for MSW facilities to be located in the Panhandle for conformance with the regional solid waste management plan. The determination of conformance shall be in the format as set forth in the most current version of the Regional Solid Waste Management Plan and be made within the review period as established by the TCEQ.

ARTICLE 8 – General

Section 1. Conflict of Interest Policy: RSWMAC members must abstain from voting on any application during the Solid Waste Grants Program prioritization process if the member or an individual related to the member within the third degree of consanguinity or within the second degree of affinity,

- Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
- Serves on any board that oversees the unit or division that would administer the grant, if awarded;
- Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant;
- Receives any funds from the applicant as a result of the grant; or
- Uses or receives a substantial amount of tangible goods, services, or funds from the applicant.

RSWMAC members will not be prohibited from voting or commenting upon projects that are being carried out to serve the entire region.

Section 2. Appeals Process: A Panhandle applicant for Solid Waste Grant funding may appeal the disposition of its application **only** if one or more of the following occurs during the review of the application by the RSWMAC.

1. **Misplacement of an application.** If all or part of an application is lost, misfiled, etc., by PRPC staff, resulting in the unequal consideration of the applicant's proposal.
2. **Mathematical error.** If, in scoring the application, the score on any selection criteria is arrived at incorrectly or if the total score of the application is arrived at incorrectly as a result of human or computer error.
3. **Other procedural error.** If the applicant's application is not processed and treated in accordance with the procedures set forth in this document.

All appeals, including the specific alleged procedural violation(s), must be submitted to the PRPC Executive Director in writing. The Executive Director may then take one of the following actions:

1. Investigate the allegation and determine that the appeal is not valid. In such case, the applicant will receive in writing the basis for the decision to reject the applicant's appeal. In such case, the decision of the Executive Director is final.

2. If there is some validity to the appeal, the Executive Director will place the appeal on the agenda of the PRPC Board of Directors. The protesting applicant will be notified of the time and date of the meeting during which the Board of Directors will consider the appeal. The applicant will be given the opportunity to present his/her case directly to the PRPC Board of Directors. The Board of Directors will then render a decision on the appeal of the protesting applicant. All decisions made by the PRPC Board of Directors will be final.

An appeal can be filed at any time during the prioritization process but must be submitted within seven (7) working days from the date on which the Notice to Applicants Regarding the Outcome of the Prioritization Process(es) is **transmitted**.

In any event, the appeal must be received by the PRPC prior to the date on which the PRPC Board of Directors will consider the RSWMAC's Solid Waste grant recommendations. Any appeals received after that date will not be considered by the PRPC Board.

Any appeals made after the date on which the RSWMAC's TCEQ grant recommendations are acted on by the PRPC Board of Directors must be filed directly with the TCEQ in accordance with the agency's appeal procedures.

Section 3. Bylaw Amendments: The bylaws may be amended by the majority vote of the RSWMAC provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken. Any major amendments will not take affect until so approved by the PRPC Board of Directors.

Attachment #1

Texas Health and Safety Code | Section 361.014:

Use of Solid Waste Fee Revenue

DRAFT

Texas Health and Safety Code | Section 361.014:
Use of Solid Waste Fee Revenue

- (a) Revenue received by the commission under Section 361.013 shall be deposited in the state treasury to the credit of the commission. Half of the revenue is dedicated to the commission's municipal solid waste permitting and enforcement programs and related support activities and to pay for activities that will enhance the state's solid waste management program, including:
- (1) provision of funds for the municipal solid waste management planning fund and the municipal solid waste resource recovery applied research and technical assistance fund established by the Comprehensive Municipal Solid Waste Management, Resource Recovery, and Conservation Act (Chapter 363);
 - (2) conduct of demonstration projects and studies to help local governments of various populations and the private sector to convert to accounting systems and set rates that reflect the full costs of providing waste management services and are proportionate to the amount of waste generated;
 - (3) provision of technical assistance to local governments concerning solid waste management;
 - (4) establishment of a solid waste resource center in the commission and an office of waste minimization and recycling;
 - (5) provision of supplemental funding to local governments for the enforcement of this chapter, the Texas Litter Abatement Act (Chapter 365), and Chapters 391 and 683, Transportation Code;
 - (6) conduct of a statewide public awareness program concerning solid waste management;

- (7) provision of supplemental funds for other state agencies with responsibilities concerning solid waste management, recycling, and other initiatives with the purpose of diverting recyclable waste from landfills;
 - (8) conduct of research to promote the development and stimulation of markets for recycled waste products;
 - (9) creation of a state municipal solid waste superfund, from funds appropriated, for:
 - (A) the cleanup of unauthorized tire dumps and solid waste dumps for which a responsible party cannot be located or is not immediately financially able to provide the cleanup;
 - (B) the cleanup or proper closure of abandoned or contaminated municipal solid waste sites for which a responsible party is not immediately financially able to provide the cleanup; and
 - (C) remediation, cleanup, and proper closure of unauthorized recycling sites for which a responsible party is not immediately financially able to perform the remediation, cleanup, and closure;
 - (10) PROVISION OF FUNDS TO MITIGATE THE ECONOMIC AND ENVIRONMENTAL IMPACTS OF LEAD-ACID BATTERY RECYCLING ACTIVITIES ON LOCAL GOVERNMENTS; AND
 - (11) PROVISION OF FUNDS FOR THE CONDUCT OF RESEARCH BY A PUBLIC OR PRIVATE ENTITY TO ASSIST THE STATE IN DEVELOPING NEW TECHNOLOGIES AND METHODS TO REDUCE THE AMOUNT OF MUNICIPAL WASTE DISPOSED OF IN LANDFILLS.
- (b) Half of the revenue is dedicated to local and regional solid waste projects consistent with regional plans approved by the commission in accordance with this chapter and to update and maintain those plans. Those revenues shall be allocated to municipal solid waste geographic planning regions for use by local governments and regional planning commissions according to a formula established by the commission that takes into account population, area, solid waste fee generation, and public health

needs. Each planning region shall issue a biennial report to the legislature detailing how the revenue is spent. A project or service funded under this subsection must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services.

- (c) Revenue derived from fees charged under Section 361.013(c) to a transporter of whole used or scrap tires or shredded tire pieces shall be deposited to the credit of the waste tire recycling account.
- (d) Revenues allocated to the commission for the purposes authorized by Subsection (a) shall be deposited to the credit of the waste management account. Revenues allocated to local and regional solid waste projects shall be deposited to the credit of an account in the general revenue fund known as the municipal solid waste disposal account.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1990, 71st Leg., 6th C.S., ch. 10, art. 2, Sec. 3, eff. Sept. 6, 1990; Acts 1991, 72nd Leg., ch. 303, Sec. 4, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 899, Sec. 1.10, 3.10, eff. Aug. 30, 1993; Acts 1993, 73rd Leg., ch. 1045, Sec. 2, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 76, Sec. 11.21, eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 838, Sec. 1, eff. June 16, 1995; Acts 1997, 75th Leg., ch. 165, Sec. 30.205, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 333, Sec. 35, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 340, Sec. 1, eff. Sept. 1, 2003.

Attachment #2

Panhandle Regional Planning Commission

Administrative Regulation #31

Regional Solid Waste Management Advisory Committee

DRAFT

PANHANDLE REGIONAL PLANNING COMMISSION

Administrative Regulation
Number 31

Adopted: July 26, 1990
Amended: December 13, 1990
October 24, 1991
October, 27, 1994
September 22, 2005

PANHANDLE REGIONAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE PROCEDURES AND POLICIES

I. PURPOSE

The purpose of this administrative regulation is to formally establish a Regional Solid Waste Management Advisory Committee and to establish procedures necessary for its operation.

II. REGIONAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE

A. Establishment and Scope of Authority

1. The Board of Directors of the Panhandle Regional Planning Commission hereby establishes the Regional Solid Waste Management Advisory Committee to provide general guidance and policy direction in regard to solid waste management in the Texas Panhandle. The Regional Solid Waste Management Advisory Committee's specific responsibilities shall include but not be limited to the following:
 - a. The establishment of working rules and procedures for the Advisory Committee.¹
 - b. The development, review and approval of the Panhandle Regional Solid Waste Management Plan.
 - c. The development, review and approval of updates and amendments to the Panhandle Regional Solid Waste Management Plan.
 - d. The coordination and promotion of the implementation of the Panhandle Regional Solid Waste Management Plan.
 - e. The provision of solid waste management information to the local governments and general population of the Texas Panhandle.
 - f. The provision of general direction to the Panhandle Regional Planning Commission staff regarding solid waste management issues in the Texas Panhandle.
 - g. The provision of oversight and direction to foster the growth and development of the Panhandle Environmental Partnership.

2. The responsibilities of the Panhandle Regional Planning Commission's Board of Directors and the Planning Commission's Executive Director shall include but not be limited to the following:
 - a. Contracting matters;
 - b. Budgeting;
 - c. Financial reporting; and
 - d. Personnel matters.

B. Membership

1. The Panhandle Regional Solid Waste Management Advisory Committee shall be composed as follows:
 - a. Eighteen to twenty-two (18-22) Panhandle area local government representatives (local government elected officials or local government professional staff).
 - b. Three to four (3-4) Panhandle area private solid waste management service providers.
 - c. One to two (1-2) Panhandle area citizens representing solid waste management or environmental interest groups.
2. Members of the Panhandle Regional Solid Waste Management Advisory Committee shall be appointed by the Panhandle Regional Planning Commission's Board of Directors for staggered three-year terms beginning each August. One-third of the Advisory Committee members shall be reappointed or replaced each year, members may not serve more than two consecutive three-year terms.
3. A Chairperson and Vice Chairperson of the Panhandle Regional Solid Waste Management Advisory Committee shall be elected by vote of the Advisory Committee. The Chairperson and Vice Chairperson shall serve one-year terms beginning each August.
4. A representative of the state agency in Texas charged with municipal solid waste management oversight authority shall serve as a member of the Panhandle Regional Solid Waste Management Advisory Committee.

C. Meetings

1. Meetings of the Panhandle Regional Solid Waste Management Advisory Committee shall be held no less frequently than twice a year.
2. All Advisory Committee meetings shall be open to the public. Meetings shall be recorded on audio tape and minutes prepared.
3. A simple majority of those Advisory Committee members present and voting at any meeting is sufficient to approve any motion.



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 5b

FY 2024 Solid Waste Grant Application



PANHANDLE
REGIONAL
PLANNING
COMMISSION

MEMORANDUM

DATE: November 27, 2023
TO: RSWMAC Members
FROM: Daphne Morcom, Regional Services Program Specialist
SUBJECT: Agenda Item #5b
FY 2024 Solid Waste Grant Application

BACKGROUND:

Prior to the start of any Regional Solid Waste Grants Program Year, PRPC Staff will make recommendations regarding a grant application to be used for the upcoming cycle. The RSWMAC will meet to review that document and make any suggestions or changes to the form.

RECOMMENDATION:

PRPC Staff recommends the RSWMAC consider a motion to approve the use of the grant application form for use in the FY 2024 grant cycle.

**PANHANDLE REGIONAL
PLANNING COMMISSION'S**

**FY 2024/2025
REGIONAL SOLID WASTE
GRANTS PROGRAM APPLICATION**

**PANHANDLE REGIONAL PLANNING COMMISSION'S
FY 2024/2025 REGIONAL SOLID WASTE GRANTS PROGRAM**

APPLICATION

FORM 1: APPLICATION INFORMATION AND SIGNATURE PAGE

Applicant:	Funding Amount Proposed: \$
Address	Phone/Fax/Email: Phone: email:
Contact Person	Date Submitted

PROJECT CATEGORY

<input type="checkbox"/> Source Reduction and Recycling Project <input type="checkbox"/> Composting and Wood/Yard Waste Reduction Project <input type="checkbox"/> HHW Household Hazardous Waste Project <input type="checkbox"/> Local Enforcement Project <input type="checkbox"/> Litter and Illegal Dumping Clean-up Project <input type="checkbox"/> Rural Waste Management Project <input type="checkbox"/> Technical Studies and Local Solid Waste Management Plans	Check the box which best describes this project. <input type="checkbox"/> New Project <input type="checkbox"/> Enhancement/expansion of an existing project <input type="checkbox"/> Continuation of an existing project
--	---

SIGNATURE

By the following signature, the Applicant certifies that it has reviewed the certifications, assurances, and deliverables included in this application, that all certifications are true and correct, that assurances have been reviewed and understood, and that all required deliverables are included with this application submittal.	
Signature:	Title:
Printed Name:	Date Signed:

FOR USE BY THE PRPC

Date application was received:	
Does the application meet all of the required screening criteria:	_____ Yes _____ No
Is the application administratively complete:	_____ Yes _____ No

FORM 2: AUTHORIZED REPRESENTATIVES

The Applicant hereby designates the individual(s) named below as the person or persons authorized to receive direction from the PRPC, to manage the work being performed, and to act on behalf of The Applicant for the purposes show:

1. **Authorized Project Representative.** The following person is authorized to receive direction, manage work performed, sign required reports, and otherwise act on behalf of the Applicant.

Signature
Typed/Printed Name:
Title:
Date:

2. **Authorized Financial Representative.** In addition to the authorized project representative, the following person is authorized to act on behalf of the Applicant in all financial and fiscal matters, including signing financial reports and requests for reimbursement.

Signature
Typed/Printed Name:
Title:
Date:

FORM 3: CERTIFICATIONS AND ASSURANCES

Certifications

In order to receive grant funds under this program, the proposed project must conform to the provisions set forth in the PRPC's Request for Applications (RFA). The following certifications are intended to help the PRPC to ensure that these provisions are met. By signing this application, the person acting on behalf of the Applicant makes the certifications listed below.

1. **Authority to Sign Application.** The person signing this application hereby certifies that he/she is the official contact regarding this application and has authority from the Applicant to sign the application and that such authority will bind the Applicant in subsequent agreements.
2. **Application Contains No False Statements.** Applicant certifies that this application has no known false statements and that the Applicant understands that signing this application with a known false statement is a material breach of contract and shall void the submitted application and any resulting contracts. The Applicant understands that the PRPC may not accept any amendment, revision, addition or alteration to this application after the final date and time for submission.
3. **Governmental Status.** Applicant certifies that it is located in the State of Texas and fits within one of the governmental classifications listed below, as determined under state law:
 - a. City
 - b. County
 - c. Public school or school district (not including Universities or post-secondary educational institutions)
 - d. Other general and special law district with the authority and responsibility for water quality protection or municipal solid waste management, including river authorities
 - e. Council of Governments
4. **Conformance to Standards.** The Applicant certifies to the best of their knowledge and ability that the proposed project, including all activities in the proposed Scope of Work, conforms to the eligible category standards and allowable expense and funding standards as set forth in the Request for Applications.
5. **Solid Waste Fee Payments.** Applicant certifies that it is not delinquent in payment of solid waste disposal fees owed the State of Texas.
6. **Consideration of Private Industry.** The following certification only applies if the project is under one of the following grant categories:
 - a. Source Reduction and Recycling Project
 - b. Composting and Wood/Yard Waste Reduction Project
 - c. Rural Waste Management Project
 - d. A demonstration project under the Educational and Training Projects category

Applicant certifies that it has notified private service providers in accordance with the requirements set forth in the Request for Applications and the instructions provided with this application form. Applicant further certifies to the best of their knowledge and ability (after completing Form 5) that the proposed project will promote cooperation between public and private entities, is not otherwise readily available, and will not create a competitive advantage over a private industry that provides recycling or solid waste services.

7. **Consistency with Regional Solid Waste Management Plan.** Applicant certifies to the best of their knowledge and ability that the proposed project is consistent with applicable goals, objectives, and recommendations of the PRPC's regional solid waste management plan.
8. **Technical Feasibility.** Applicant certifies that it has carefully reviewed its Scope of Work and that to the best of their knowledge and ability all activities are technically feasible and can be satisfactorily completed within the grant period as set forth in the Request for Applications.
9. **Costs Reasonable and Necessary.** Applicant certifies to the best of their knowledge and ability that the proposed project activities in the Scope of Work and the expenses outlined in the Budget are reasonable and necessary to accomplish the project objectives, and that the proposed expenses are consistent with the costs of comparable goods and services.
10. **Certification by Law Enforcement Programs.** If the Applicant is a law enforcement entity regulated by Chapter 415 of the Government Code, the Applicant certifies that it is in compliance with all rules developed by the Texas Commission On Law Enforcement (TCOLE), pursuant to Chapter 415, Government Code; or that it is in the process of achieving compliance with such rules. If compliance is pending, a certification from TCOLE must be attached to indicate that the Applicant is in the process of achieving compliance with the rules.

Assurances

If the application is approved for funding, the grant funds will be awarded through a contract between the Applicant and the PRPC. The grant contract will contain a number of standards, requirements, and processes that must be complied with as a condition of receiving the grant funds. In order to ensure an understanding by the Applicant of some of the main conditions that will be included in the contract; the Applicant is asked to review the following assurances. By signing this application, the person acting on behalf of the Applicant indicates their understanding of these conditions and provides assurances that these and other conditions set forth in the grant contract will be adhered to if funding is awarded.

1. **Compliance with Standard Pertaining to Real Property and Equipment.** Applicant provides assurances that, if funded, the Applicant will comply with the contract provisions pertaining to title to and management of real property and equipment. The contract will contain obligations and conditions regarding the use of the equipment and/or facilities (the "property") acquired under the agreement. Included in the provisions are obligations to provide adequate maintenance and conduct physical property inventories; restrictions and conditions on the use, replacement, sale, or transfer of the property; and obligations to continue to adhere to the provisions that grant funds not be used to create a competitive advantage over private industry, in the use or transfer of the property.
2. **Participation in TCEQ Recycling Surveys and Reporting.** Applicant provides assurances that, if funded, the Applicant will respond to annual recycling program surveys and/or other requests from the PRPC or the TCEQ for information on municipal solid waste management activities.
3. **Compliance with Progress and Results Reporting Requirements.** Applicant provides assurances that, if funded, the Applicant will comply with requirements for: reporting on the progress of the project tasks and deliverables; documenting the results of the project and providing those results to the PRPC on a schedule established in the contract, and additionally, to continue to document the results of the project activities for the life of the project; and to provide the PRPC with a follow-up results report approximately one year after the end of the grant term.

1. **Financial Management.** Applicant provides assurances that, if funded, the Applicant will comply with contract provisions and requirements necessary to ensure that expenses are reasonable and necessary, and to adhere to financial administration and reimbursement procedures and provide financial reports on a schedule established in the contract.
2. **Compliance with Americans with Disabilities Act.** Applicant provides assurances that, if funded, the Applicant will comply with all the applicable requirements of the Americans with Disabilities Act of 199, 42 U.S.C. §§ 12101 - 12213 (Pamph. 1995).
3. **Compliance with the Single Audit Act.** Applicant provides assurances that, if funded, the Applicant will comply with the Single Audit act as defined by the Uniform Grant Management Standards (UGMAS), January 1998.
4. **Compliance with Program and Fiscal Monitoring.** Applicant provides assurances that, if funded, the Applicant will comply with program and fiscal monitoring provisions of the contract, including: providing additional reports or information as may be requested to adequately track the progress of the project; and allowing site visits to evaluate the progress of the project and to view any grant-funded equipment or facility.

FORM 4: EXPLANATION REGARDING PRIVATE INDUSTRY NOTIFICATION

Applicable to Applicants under the following grant categories:

- a. Source Reduction and Recycling Project
- b. Composting and Wood/Yard Waste Reduction Project
- c. Rural Waste Management Project
- d. A demonstration project under the Educational and Training Projects category

Form 4a: List of Private Service Providers Notified

Private Service Providers Contacted	Telephone Number	Date Notified

Form 4b: Summaries of Discussion with Private Industry

Provide summaries of any input and concerns raised by the private service providers; summaries of any meetings or discussions held between the Applicant and the private service providers; an explanation of any changes made to the proposed project to address private service provider concerns; and an explanation of any remaining concerns that were not addressed any why the Applicant determined that the concerns are not valid under the statutory requirements. Attach to the application any written comments or concerns provided by a private service provider concerning the project. Attach additional pages as needed.

FORM 5: PROJECT SUMMARY

Form 5a: Project Description

Provide a detailed description of the proposed project. As appropriate, briefly describe::

- | | |
|---|--|
| (1) Why the proposed project is needed; | (7) If this proposed project is part of an overall program, provide a description of the program; |
| (2) The goal of the proposed project; | (8) Adequately describe the expected benefits of the proposed project; |
| (3) The number of people who would be served or benefited; | (9) Describe the project in sufficient detail to demonstrate its overall feasibility or workability; |
| (4) The geographic area affected; | (10) As applicable, identify the levels of customer incentives, public education, or input, as appropriate to the project. |
| (5) The specific element(s) of the waste stream being targeted with the project; | |
| (6) Explain how any proposed equipment is appropriate for the work to be performed; | |

Check the Solid Waste Management Plan goal or goals this project addresses and then provide a project description below as explained in the box above.

- Develop programs that lead to waste minimization through local source reduction, recycling and composting, which conserve disposal capacity.
- Develop cost-effective, efficient and environmentally suitable solid waste management systems.
- Develop programs to assist in controlling and stemming illegal and improper disposal.
- Maintain administrative structures for conformance reviews and future systems operations.
- Develop programs that encourage proper disposal of household hazardous waste (HHW).

#1 Need for Proposed Project:

#2 Goal of Proposed Project:

#3 Persons Served by Proposed Project:

- #4 Geographic Area Affected by Proposed Project:**

- #5 Specific Elements Targeted by Proposed Project:**

- #6 Equipment Appropriateness for Proposed Project:**

- #7 Description of Overall Program:**

- #8 Expected Benefits from Proposed Project:**

- #9 Proposed Project Description:**

- #10 Customer Incentives, Public Education, and Input for Proposed Project:**

Form 5b: Project Cost Evaluation

Provide an evaluation of the costs associated with the proposed project. Explain how the total cost of the proposed project was determined (including ongoing operational costs, if applicable). If possible, present the costs in unit terms, such as cost per ton, cost per customer, or cost per capita. Estimate any costs savings, or reasonably justified costs of the project.

Determination of Total Cost for Proposed Project:

Proposed Project Costs in Unit Terms:

Form 5d. Scope of Work

Provide a work program with a schedule of deliverables for the proposed project or program. The work program with the schedule of deliverables will be considered the Scope of Work to be performed under the contract agreement, if funded.

As concisely as possible, for each task of the proposed project, describe the major steps or activities involved, identify the responsible entities and establish a specific timeframe to accomplish each task. The Scope of Work for the project or program must include.

- Detailed purpose and goal of the project
- Specific task statements with responsible entity identified
- List of deliverables/products/activities under each task
- Schedule of deliverables.

➤ **Detailed Purpose and Goal of the Project:**

➤ **Specific Task Statements with Responsible Entity Identified:**

Task 1.

Task 2.

➤ **Schedule of Deliverables:**

FORM 6: GRANT BUDGET SUMMARY

Please provide the following breakdown of the total amount of grant funding being requested:

Budget Category	Funding Amount
1. Personnel/Salaries	\$
2. Fringe Benefits	\$
3. Travel	\$
4. Supplies	\$
5. Equipment	\$
6. Construction	\$
7. Contractual	\$
8. Other	\$
9. Total Direct Charges (<i>sum of 1 - 8</i>)	\$ 0.00
10. Indirect Charges ^o	\$
11. Total (<i>sum of 9 and 10</i>)	\$ 0.00

12. Fringe Benefit Rate:	%	
13. Indirect Cost Rate:	%	
<p>Identify, in detail, each budget category to which your indirect cost rate applies and explain any special conditions under which the rate will be applied:</p> <p>^o In accordance with UGMS, indirect charges may be authorized if the Applicant has a negotiated indirect cost rate agreement signed within the past 24 months by a federal cognizant agency or state single audit coordinating agency. Alternatively, the Applicant may be authorized to recover up to 10% of direct salary and wage costs (excluding overtime, shift premiums, and fringe benefits) as indirect costs, subject to adequate documentation. If you have an approved cost allocation plan, please enclose documentation of your approved indirect rate.</p>		

Please complete any of the following detailed budget forms which are applicable.

Form 6a: Detailed Matching Funds/In-Kind Services

This budget form should be completed if the Applicant is providing any level of matching funds or in-kind services directly related to the proposed project.

Matching Funds: \$ _____

In the space below, please explain in detail the application of any matching funds to be provided by the Applicant, as directly related to the proposed project.

In-Kind Services: \$ _____

In the space below, please explain in detail the application of any in-kind services to be provided by the Applicant, as directly related to the proposed project.

What is the TOTAL COST of the proposed project, considering the total grant funding requested, any matching funds being provided by the Applicant, and the monetary equivalent of any in-kind services being provided by the Applicant:

 \$ _____

Form 6b: Detailed Personnel/Salaries Expenses

For each employee to be funded wholly or in part by this grant, complete one of the lines in the table below. Please refer to the definitions provided in the instructions in completing this sheet. If funds are awarded, changes to grant-funded positions will have to be approved in advance by the PRPC.

Position Title	Function	FTE	Status	Salary
TOTAL <i>(Must equal Line 1 of the Overall Budget Summary - Form 6)</i>				\$

Form 6c: Detailed Travel Expenses

This budget form provides a more detailed breakdown of the total expenses for travel indicated on Line 3 of the Overall Budget Summary (**Form 6**).

Please describe the types of routine in-region travel expenses expected and purposes for travel.

In-Region Destination(s)	Purpose of Travel	Estimated Cost
		\$
		\$
		\$
		\$
		\$
		\$

All out-of-state travel expenses and other non-routine travel, such as out-of-region travel to special training or events must be pre-approved by the PRPC. Complete the following information for all requested non-routine travel, including any out-of-state travel. If those details are not presently known, the PRPC will need to approve those travel costs before the travel occurs.

Non-Routine Travel Expenses

Date(s)	Purpose & Destination	Person(s) Traveling	Estimated Cost
			\$
			\$
			\$
			\$

TOTAL TRAVEL EXPENSES

(Must equal Line 3 of the Overall Budget Summary - **FORM 6**) \$ _____

Form 6d: Detailed Supply Expenses

This budget form provides a more detailed breakdown of the total expenses for supplies indicated on Line 4 of the Overall Budget Summary.

Please list the general types of supplies you expect to purchase with grant funding.

General Types of Supplies	Estimated Cost
General office/desk supplies	\$ _____
Other supplies (<i>explain below</i>):	\$ _____
	\$ _____
	\$ _____
TOTAL (<i>Must equal Line 4 of the Overall Budget Summary - FORM 6</i>)	\$ _____ 0.00

Form 6e: Detailed Equipment Expenses

All equipment purchases must be pre-approved by the PRPC/TCEQ. If the specific details of an equipment purchase are known, show that equipment on the list below. If the specific details of the equipment costs are not known at this time, list the general details on this form. The specific details of the equipment will then need to be provided to and approved by the PRPC before the costs are incurred.

Equipment (<i>Show description, type, model, etc.</i>)	Unit Cost	No. of Units	Total Cost
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
Total (<i>Must equal Line 5 of the Overall Budget Summary - FORM 6</i>)			\$ 0.00

Form 6f: Detailed Construction Expenses

All construction projects must be pre-approved by the PRPC/TCEQ. If the specific details of the construction costs are not known at this time, list the general details on this form. The specific details of the construction will then need to be provided to and approved by the PRPC before the costs are incurred.

Types of Construction	Subcontracted? Yes/No	Estimated Cost
		\$
		\$
		\$
		\$
		\$
		\$
		\$
TOTAL (Must equal Line 6 of the Overall Budget Summary)		\$ _____ 0.00

Form 6g: Detailed Contractual Expenses

All contractual expenses must be pre-approved by the PRPC/TCEQ. If the specific details of the contractual costs are not known at this time, list the general details on this form. The more specific details of the contractual costs will then need to be provided to and approved by the PRPC before the costs are incurred. In addition, the sub-contract scope of work must be approved by the PRPC before work begins.

Purpose	Contractor(s)	Contract Amount
		\$
		\$
		\$
		\$
		\$
TOTAL (Must equal Line 7 of the Overall Budget Summary - FORM 7)		\$ _____ 0.00

Form 6h: Detailed Other Expenses / Basic Other Expenses

This budget form provides a more detailed breakdown of the total other expenses indicated on Line 8 of the Overall Budget Summary. *Please note that the final totals are at the bottom of the next page.*

Please identify the basic "Other" category expenses you expect to incur appropriate to the project.

Basic Other Expenses	Estimated Cost
Books and reference materials	\$
Postage, telephone, FAX, utilities	\$
Printing/reproduction	\$
Advertising/public notices	\$
Registration fees for training (<i>if approved</i>)	\$
Repair and maintenance	\$
Basic office furnishings	\$
Space and equipment rentals	\$
Signage	\$

Form 6i: Detailed Other Expenses / Additional Other Expenses

The specific details of additional "Other" category expenses, not included on the list of basic Other expenses, must be pre-approved by the PRPC. If the specific details of the additional Other expenses are not known at this time, list the general details on this form. The more specific details of the Other expenses will then need to be provided to and approved by the PRPC before the costs are incurred.

Additional Other Expenses	Unit Cost	No. of Units	Total Cost
Computer software (<i>itemize each expense below including description, type, model, etc.</i>):			
Additional Other expenses (<i>itemize each expense below including description, type, model, etc.</i>):			

TOTAL (Must equal Line 8 of the Overall Budget Summary - FORM 6)	\$ _____ 0.00
--	---------------

REQUIRED ATTACHMENTS TO THE APPLICATION

1. If indirect costs are included in the project budget, attach the Applicant's latest **indirect cost allocation plan**, including documentation of approval of the plan and the indirect cost rate by the Applicant's Federal Cognizant Agency or State Coordinating Agency.
2. If applicable, attach any written comments submitted by private industry (*see instructions for Form 5*).
3. If the Applicant is a law enforcement entity, and if compliance with TCOLE rules is still pending, attach a certification from TCOLE to indicate that the Applicant is in the process of achieving compliance with the rules (*see Form 3, Certification No. 10*).
4. A resolution by the Applicant's governing body authorizing the submission of the application.

Attachment:

Sample Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF _____, TEXAS, AUTHORIZING THE SUBMISSION OF A FY 2024 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION.

WHEREAS, the citizens of the State of Texas, either directly or indirectly, pay into a state-managed solid waste tipping fee fund which provides the Texas Commission on Environmental Quality (TCEQ) the funding to administer a variety of programs designed to afford the state a higher degree of environmental protection; and

WHEREAS, a portion of these TCEQ-administered tipping fee funds have been made available to the state's local governments through the regional councils of governments of Texas to provide grants for regional/local solid waste management projects; and

WHEREAS, the primary intent of these grant funds is that they be used to implement/enhance programs at the regional/local level which promote the management goals of the regional and state solid waste plans; and

WHEREAS, the City is eligible to receive these funds and desires to undertake a program which advances the solid waste management goals and objectives of the state solid waste management plan and the Panhandle Regional Solid Waste Management Plan.

NOW THEREFORE, be it resolved by the Board of Trustees of the City of _____, Texas:

1. That the City Council has reviewed the project details and has duly authorized the submission of a related grant application to the PRPC.
2. That City is applying for funds to equip and implement a program to be known as the **Project**.
3. That the City Council designates the City Manager to act as it's duly authorized representative in all matters pertaining to this application.
4. That any grant funds received will be used for their intended purpose.
5. That as a condition of funding, the City agrees to provide the necessary certifications and assurances required by the TCEQ.

CONSIDERED AND APPROVED THIS _____ DAY OF _____, 2023

, Board President

ATTEST:



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 5c

**FY 2024 Solid Waste Grant Program
Implementation Schedule**



PANHANDLE
REGIONAL
PLANNING
COMMISSION

MEMORANDUM

DATE: November 27, 2023
TO: RSWMAC Members
FROM: Daphne Morcom, Regional Services Program Specialist
SUBJECT: Agenda Item #5c
FY 2024 Solid Waste Grant Program Implementation Schedule

BACKGROUND:

Prior to the start of any Regional Solid Waste Grants Program Year, PRPC Staff will present a proposed timeline for the implementation of the grant cycle. The Implementation Schedule must take into account all specific time periods prescribed by the contract with TCEQ for that biennium.

RECOMMENDATION:

PRPC Staff recommends the RSWMAC consider a motion to approve the use of the FY 2024 Solid Waste Grant Program Implementation Schedule; furthermore, direct PRPC staff to initiate the FY 2024 Grant Cycle with a Notice of Fund Availability sent to all eligible entities.

Draft - FY 24 Solid Waste Grant Program Implementation Schedule

December 14st – Start FY 2024 Notification & Application Development Period

- Publish FY 2022 Notice of Fund Availability in Amarillo Globe News
 - Send written Notice of Fund Availability and Grant Application Procedures to all eligible applicants
 - Send Courtesy Notice to private solid waste companies in region
- PRPC Staff will be available to assist with grant application development

January 12th, 2024 – FY 2024 Grant Submission Deadline

- All applications for FY 2024 funds must be received no later than 5:00 p.m., on **Friday, January 12th, 2024** to be considered for the FY 2024 Regional Solid Waste Grants Program. Late applications may not be considered. Faxed applications will not be considered.

FY 2024 Applications should be mailed to the following address:

Panhandle Regional Planning Commission
Attn: Daphne Morcom
P. O. Box 9257
Amarillo, TX 79105

OR

FY 2024 Applications should be hand-delivered in person to:

Panhandle Regional Planning Commission
415 West Eighth Avenue
Amarillo, Texas 79101

January 16th thru January 29th - Ten-Business Day Review Period

- For ten (10) consecutive business days, the applications received for the FY 2024 Regional Solid Waste Grant fund shall be made available for public review at the PRPC offices located at:

415 Eighth Avenue,
Amarillo, Texas 79101.

February 20th, 2024 – Application Prioritization Meeting

- Beginning at Noon, the Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC) will review and prioritize all applications received for FY 2024 grant funds. Applicants are strongly encouraged to attend this meeting, as each will be given the opportunity to make an oral presentation to the RSWMAC regarding their application as well answer any questions regarding their application and/or proposal. By the end of this meeting, the RSWMAC will have developed a recommended prioritized listing of all FY 2024 grant fund requests to propose to the PRPC Board of Directors.

February 22nd, 2024 – PRPC Board of Directors considers RSWMAC Prioritization Recommendations

- Beginning at 1:30 p.m., the Panhandle Regional Planning Commission (PRPC) Board of Directors will consider the prioritization recommendations of the RSWMAC during their regularly scheduled monthly meeting. Applicants are welcomed to attend this meeting to observe the proceedings—but it is not required.

February 23rd, 2024 – PRPC Staff sends FY 2024 Project Summaries to Texas Commission for Environmental Quality

- The prioritized listing of the Panhandle's FY 2024 Regional Solid Waste Grants applications will be forwarded to the TCEQ for program conformance screening.

February 24th thru March 8th – Ten-Day Review Period

- The TCEQ will have 10 consecutive business days to complete their review. If all applications conform to the Solid Waste Grants Program standards, the prioritized listing of projects will be approved as presented. If any projects appear to be questionable, those projects will be pulled out of the listing, the remaining projects will be approved as prioritized, then, the TCEQ and the PRPC will address concerns about the projects in question. If those questions can be resolved, the application will be approved for funding. If the concerns cannot be resolved, the proposal will be disqualified and those funds will be made available to the next project on the prioritized funding list.

March, 2024 – FY 2024 Contracts Issued

- The PRPC and those grantees receiving FY 2024 Regional Solid Waste Grants funding will enter into contract for the completion of those projects. Each grantee will be required to enter into a contract individually with the PRPC. The grantees will receive their grant funds on a reimbursement basis from the PRPC rather than from the TCEQ
- Suggested Start Date for FY 2024 Regional Solid Waste Grant projects. It is recommended that the terms of the projects run from March, 2024 through August 31, 2024. Individual project performance period will be set in consultation with each grantee.

June 30th, 2024 – Project Completion Goal Date

- PRPC staff has set this date as the projected goal to complete all FY 2024 projects.

August 31st, 2024 – Contract Completion Deadline

All projects approved under FY 2024 Regional Solid Waste Grant Program must be completed no later than August 31, 2024.



*PANHANDLE REGIONAL SOLID WASTE
MANAGEMENT ADVISORY COMMITTEE*

ITEM 6

Election for New FY 2024 RSWMAC Officers

RSWMAC MEMBERSHIP COMPOSITION FOR FY 2024

Term Beginning August 1, 2021 - Expires July 31, 2024

Tommy Wyatt	★	2	Director of Public Works, City of Canadian
Paul Arganbright	★	1	Public Works Director, City of Wheeler
Alan Harder	★	4	Assistant Director of Public Works, City of Amarillo
Brandan Knapp – Chair	★	1	Solid Waste Superintendent, City of Perryton
David Morris	★	1	Street Superintendent/Landfill, City of Memphis
Mike Story	★	1	Public Works Director, City of McLean

Term Beginning August 1, 2022 - Expires July 31, 2025

Harvey Perez	★	2	Water Superintendent, City of Panhandle
Brent Sheets	★	✳	City Manager, City of Fritch
Curtis Green	★	2	Street and Sanitation Supervisor, City of Dalhart
Jason Anderson	★	2	Public Works Director, City of Borger
Orrin Dankworth	✳	2	Assistant Manager, Scrap Processing
Russell Proctor	★	1	Public Works Director, City of Tulia
Justin Parker – Vice Chair	★	1	City Manager, City of Spearman
Mark Washburn	★	1	Public Works Director, City of Gruver
Gary Turley	★	1	Public Works Director, City of Pampa
Adam Schaeer	✳	2	General Manager, KB Recycling
Ramsay Hamm	✳	1	Owner, Porter Waste Solutions

Term Beginning August 1, 2023 - Expires July 31, 2026

Johnny Torres	★	2	Public Works Director, City of Hereford
Leander Davila	★	2	City Manager, City of Friona
Isidro Renteria	★	1	Landfill Supervisor, City of Dumas
Traci Bogart	★	1	Recycling Technician, City of Stratford
Stephen Skipper	★	1	Mayor, City of Booker
Kevin Gomez	🌐	1	Engineer in Training, J Shehan Engineering
Daniel Jackson	★	1	City Manager, City of Dimmitt
Spenser Harvey	🌐	1	Civil Engineer, Parkhill
Eddie Taylor	★	1	Public Works Director, City of Childress
Brittany Crawford	🗣		Natural Resources Specialist, TCEQ-Region 1
Vacant	🗣		Environmental Investigator, TCEQ-Region 1
Anju Chalise	🗣		Program Specialist, TCEQ State Office

Legend

Symbol	Number Required	Type of RSWMAC Member
★	18 to 22	Local Government Representatives (18 – 22 members)
✳	3 to 4	Private Solid Waste Management Service Providers
🌐	1 to 2	Citizens Representing Solid Waste Management or Environmental Interest Groups
🗣	2	Local and State TCEQ Ex-Officio Representatives
✳		Serving a partial term, still eligible for 2 additional 3-year term(s)
1		Serving first full three-year term
2		Serving second consecutive three-year term